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THE BUILDING ZONE PLAN OF NEW YORK CITY¹

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New York City

THE building zone plan put into effect in New York city on July 25, 1916, is one of the most complete and comprehensive plans for the control of city building ever adopted by any American city. It marks an important epoch in American city planning and city building. It is applied to more than five and one-half millions of people and it directly affects property assessed at more than eight billions of dollars.

All admit the desirability of some degree of order in building development. All have witnessed the irreparable injury caused by haphazard building. That a public garage, stable or factory should be permitted to invade and destroy one after another the best residential blocks of the city seems wasteful and foolish. Yet so implicit is our adherence to the theory that a man must be allowed to do what he please with his own property that we have considered ourselves powerless. Up to a few years ago this was the prevalent attitude in New York city. This supposed legal difficulty was fortified by the practical difficulty of securing an agreement in a democratic community on the details of a plan to control and direct city building. Yet notwithstanding these supposed difficulties, legal and practical, New York city has adopted a building zone plan with a substantial unanimity of opinion. What a few years ago would have been ridiculed as fantastic, arbitrary and confiscatory, is now welcomed by the property owners themselves as reasonable and absolutely necessary in the interest of public health, safety and general welfare and for the conservation of property values. The property

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owners of New York city have in recent years had some peculiarly distressing experiences with haphazard construction. This fact taken in connection with the quiet, patient work of the commission on building districts and restrictions has brought about with very little opposition the adoption of a comprehensive plan for the control of future building development throughout the five boroughs of New York city.

HEIGHTS OF BUILDINGS COMMISSION, 1913

The plan adopted is the result of some three years of careful investigation, research and conference. The preliminary investigation was carried on by the heights of buildings commission appointed in February, 1913. The commission's report of 295 pages contains a thoroughgoing and authoritative discussion of the problem of regulating the height, area and use of buildings. The commission found that any complete system of building control necessitated the application of different regulations to different parts of the city and accordingly recommended that the city be divided into districts and that the restrictions for each district be worked out with reference to the peculiar needs and requirements of that particular district.

COMMISSION ON BUILDING DISTRICTS AND RESTRICTIONS, 1914

The heights of buildings commission submitted a draft charter amendment permitting the board of estimate and apportionment to divide the city into districts for the purpose of regulating the height of buildings, the area of courts and open spaces, the location of trades and industries and the location of buildings designed for specified uses. This draft amendment was passed by the legislature and became a law April 20, 1914. This charter amendment provides that the board of estimate, before exercising the powers conferred, shall appoint a commission "to recommend the boundaries of districts and appropriate regulations to be enforced therein." Pursuant thereto the board on June 26, 1914, appointed a commission on building districts and restrictions. This commission consisted of sixteen members with Edward M. Bassett as chairman and Lawson Purdy, vice-chairman. Taking up the work where the former heights of buildings commission left it and using its data, investigations and report, the districting commission spent two years in making an exhaustive study of the entire subject. The committee on the city plan of the board of estimate placed at the disposal of the districting commission its expert staff.

THE ZONING SURVEY, 1914-1915

The districting commission directed its staff to secure all data essential to a knowledge of existing conditions and tendencies, and to an estimate of future growth and development. This data, supplemented by personal inspection on the ground, was used to assist the expert knowl-

edge and experienced judgment of the members of the commission in laying down the actual district boundaries and the regulations to be enforced therein.

It was essential that the data collected should be both detailed and comprehensive. There must be detailed information in relation to the buildings and physical characteristics and immediate environment of every individual block and also comprehensive or bird's-eye views of the entire borough or city. The comprehensive view is indispensable to the determination of the number and characteristics of the various kinds of districts to be established and also for the determination in a general way of the logical boundaries for such districts. The detailed examination street by street and block by block is necessary to determine the exact boundaries and also to determine whether there is need for the exemption of certain small areas within the boundaries of a larger district.

Topographic features. Especially in the undeveloped areas, the existing lay of the land, the rivers, hills, valleys, marshes, highways, railroads and other physical features give the best indication of the probable future use of the land. The topographic and hydrographic charts of the national government were used, as were also the more detailed topographic and grade maps prepared by the topographic bureaus of the boroughs. From these a map was prepared showing by colors the grade percentage in each street. Twenty-foot contour lines were also drawn covering practically the entire city with the exception of the borough of Richmond.

A steep street grade will often mark the boundary line between different kinds of use or between different types of the same kind of use. It often serves to separate the waterfront industrial or ware-house use from a business or residential use or a business use from a residential use. A study of the grades is helpful in determining the future traffic streets and hence the future business streets. Steep grades in certain sections make it reasonably certain that they will be used for residential purposes—they are unfitted for either business or industry.

A bird's-eye view of any city discloses the fact that industry of the heavier type seeks the waterfront and lower levels. Cheap transportation and sometimes also cheap land are the attractions that bring the heavy industries to the low levels. The railroads follow the low levels in passing through the city and the waterfront as the place at which rail and water transportation meets naturally has the best terminal facilities. Low-lying land bordering deep water constitutes in a city an almost certain dedication to future terminal and industrial use.

Rapid transit system. While the location of the rail and water terminal facilities fixes the location of industry of the heavier type, the passenger transportation system is the chief factor in determining the location of business centers and sub-centers and in determining the building up and the intensity of use of various residential districts. The rapid transit

system at present in operation or under construction will necessarily determine the general lines of city growth and development for many years to come. Owing to the automobile and electric suburban railroad service the local centers will continue to increase within a radius of 50 miles or more of New York; but the great bulk of the population of the city will continue to be housed within a five-cent fare and a 40-minute ride of the chief business center.

A time zone transit map was carefully worked out showing the time from every part of the city to the city hall and to 14th street. This time includes the time required to walk from any given location served by a transit line to the nearest station and the running time from that point to the city hall or to 14th street. As a rule only the five-cent fare routes are considered. Areas beyond half a mile or a 10-minute walk from a transit line are not dealt with, as a half-mile belt is considered the limit of any considerable influence of a transit line. The time zone map includes lines planned and under construction as well as those now in operation and is based on estimated running time when the new dual subway system is in full operation. This time zone map was in constant requisition to assist the judgment of the commission in its determination of the appropriate use and the appropriating intensity of use of particular areas.

Distribution of population. The figures of the 1900, 1905 and 1910 censuses were charted on the maps by enumeration districts. These enumeration districts in Manhattan, The Bronx and Brooklyn are generally very small areas including one or more city blocks. The 1910 figures were even more carefully analyzed and distributed within each enumeration district according to the existing housing accommodations. A spot map was then prepared with each spot representing 25 people. This is probably the most intensive study that has been made of the distribution of the population of the city. The spot map was of great assistance in comprehending at a glance the distribution of population throughout the city and in estimating the relative effect of various kinds of transit facilities on the distribution of population.

Supplementing the census data as to distribution of population in their places of abode data was obtained and charted to show the distribution of factory workers in the places in which they work. At the request of the commission the state labor department compiled from its records a block census for all factory employes throughout the city according to place of work. With this data the commission prepared a spot map of factory employes—one spot for each 250 employes. This map was valuable in laying out the unrestricted or industrial districts and in studying the existing and possible future relation between congestion of factories and congestion of population.

The results of the police census of 1915 were plotted by census districts and the center of gravity of the population of each district obtained and from these the center of gravity of the population of each borough. These were combined to obtain the center of gravity of the population of the entire city. This map enables one to see the relation of these several centers of population to existing business and traffic centers.

Existing building development. The entire zone plan as proposed by the commission is based on a frank acceptance of existing conditions. The zone plan not only does not affect the continued use of any existing building but it ordinarily does not attempt to radically change the character of new buildings from the type with which any considerable area is at present built up. It was very important, therefore, that the commission should have before it a detailed record of the existing building development in every part of the city. For this purpose the insurance atlases of the city of New York proved of invaluable assistance. These atlases show in detail the use to which all buildings are put, the character of construction, as well as their height and area, and are amended at frequent intervals by means of pasters, so as to be always very nearly up to date.

Distribution of buildings according to use. In order to study the location of existing residential, business and industrial buildings and areas, borough maps were prepared showing in colors industrial buildings and uses, business buildings, store and dwelling buildings and residential buildings, including under the latter head, schools, churches and institutional buildings. These maps enabled the commission to determine the general boundaries of the residence, business and unrestricted districts in so far as such boundaries could properly be based on the existing building development.

The commission based its work, however, not entirely or chiefly on existing building development but also upon its judgment of future growth and requirements. In order to better judge the future growth and change of the business, residence and industrial areas a careful study was made of such growth and change in the past. Based on information given in the atlases of the various boroughs published at various intervals during the past 50 years, borough maps were prepared showing in colors for the various periods, the location of industrial, business and residence buildings. In order to note the effect of freight and water terminals and of improved transit facilities on the location and growth of building development, the rail and water terminals and the transit lines were carefully noted on the building development maps. These historical maps show from period to period the expansion of the built-up area of the city and the development and change of the industrial, business and residence areas.

Distribution of existing buildings according to height and area covered. In order to aid in the determination of the number and character of the

height districts to be established and the general boundaries of the various districts so far as they would be affected by the height of existing buildings, maps were prepared showing in colors the height of each building throughout the city. Similarly for the purpose of assisting the judgment of the commission in laying out area districts, maps were prepared showing graphically the area covered by each building throughout the city.

Land values. Comparative land values are a most important and accurate measure of difference in the kind and character of use appropriate for various areas. Values are especially important in determining that particular intensity of use that is consistent with the most beneficial use of the land. They are therefore particularly useful in the determination of the boundaries of the various height and area districts.

It is fortunate for this purpose that for the past few years sectional maps have been published by the city department of taxes and assessments, giving the assessed value per front foot of all land throughout the city. In this case the unit of value is the value per front foot of an interior lot 100 feet in depth.

From these sectional maps, a map of the entire city was prepared showing in colors the various ranges of value per front foot. This enables one to compare at a glance, *e. g.*, values in Flatbush with values in Bay Ridge and values in The Bronx with those of Brooklyn. It also shows the blighting effect on certain sections of an invasion by inappropriate or nuisance uses.

FINAL REPORT AND ADOPTION BY BOARD OF ESTIMATE

On June 2, 1916, the districting commission presented its final report to the board of estimate. The board of estimate held a series of public hearings on the report and it was also carefully considered by the committee of the whole of the board and by two sub-committees. On July 18, 1916, the committee of the whole submitted its report endorsing the zone plan. On July 25, 1916, the board of estimate adopted the plan and made it effective by a vote of fifteen to one. The single vote in opposition to the plan was apparently not in opposition to the zoning principle but based on the refusal of the board to incorporate a certain more restrictive regulation for a particular district than that contained in the plan adopted.

NECESSITY FOR A COMPREHENSIVE PLAN OF CITY BUILDING

The fundamental basis of the zone plan as presented by the commission is the need for the building of the city in accord with some well-considered plan. The commission says:

"City planning is a prime need of our city. It is plain common sense to have a plan before starting to build. City building is no exception to the rule. Haphazard city building without a comprehensive plan is ruinous.

"The bigger a city grows the more essential a plan becomes. Traffic problems, the congestion of population, the intensive use of land, the magnitude of the property values involved, make the control of building development more and more essential to the health, comfort and welfare of the city and its inhabitants. New York city has reached a point beyond which continued unplanned growth cannot take place without inviting social and economic disaster. It is too big a city, the social and economic interests involved are too great to permit the continuance of the laissez faire methods of earlier days."

The undoubted fact that the intrusion in a residence block of the garage, factory or other business building means a decline in rental and property values, is not based solely or even largely on sentimental considerations, but almost wholly on considerations of health, safety, comfort and convenience. Quiet and freedom from the distraction incident to trade, industry and attendant street traffic are essential to a wholesome home environment. Especially in the crowded sections the streets must be used as breathing spaces for the mothers and as play spaces for the children. The traffic in a residential block incident to a few business or industrial buildings may make the street a very unsafe place for the children who play therein. This helps in the congested districts to thwart the play instinct. Ernest M. Coulter, clerk of the children's court of Manhattan, testified that he had found by investigation that this thwarting of the play instinct was responsible for at least 40 per cent of the delinquency cases coming before the children's court.

Both the environment of the home and the home itself must be protected and safeguarded in every possible way if we would preserve under the necessarily crowded conditions of city life the physical, mental and moral health and general well-being of the people. The commission had testimony to the effect that there was a very direct relation between the rapid increase in nervous disorders and the congestion, noise and confusion incident to the existing haphazard and uncontrolled building development. The commission says: "The necessity for reducing the stress and strain of city life is becoming more and more apparent. This is essential if the city is to be a place in which our heritage of health and vitality is to be used, conserved and handed down to succeeding generations instead of being abused and exhausted." The commission also holds that well-ordered city development cannot fail to have a marked effect on the physical fitness and vitality of the city's inhabitants. The commission says: "Health is sometimes regarded as merely the absence of disease, but as has been pointed out by George C. Whipple, professor of sanitary engineering, Harvard University, in a memorandum submitted to the commission, that is not a complete conception of health. 'Health is more than the absence of disease. It is something positive, and involves physique and vitality and it is mental as well as physical. The inherent

difficulty at the present time is the absence of scientific methods of measuring this positive element in health. Yet the world knows as a matter of human experience that it is real and vital. The expression "health and comfort of the people" is centuries old, and these two ideas are inseparable. Health as a positive concept denoting physical and mental well-being will be promoted in many ways by the districting plan."

OUTLINE OF USE DISTRICTS ADOPTED

The plan adopted while necessarily detailed and complicated is in principle the most simple and obvious thing imaginable. Residence districts are established and they are protected against invasion by trade and industry of every kind. Business districts are established and they are protected against invasion by the trades and industries that are admittedly a nuisance in a retail business section. Unrestricted districts are established where any kind of industrial business or residential use is permitted. The unrestricted districts are chiefly located along the railway terminals and the navigable waterfront. They comprise the sections now devoted to industrial uses and those in which an industrial use seems appropriate. The business districts except in the main centers are for the most part made up of the frontage on both sides of the traffic thoroughfares. The local retail business naturally follows the traffic thoroughfares and transit lines. By preventing the sporadic store from locating in the side residential streets, values on both natural business arteries and the side residential streets are improved. The concentration of all local stores on the main arteries helps values on such streets and the exclusion of the store from the residential streets improves rentals on such streets.

HEIGHT AND AREA DISTRICTS ADOPTED

For city building it is not alone necessary that there shall be a plan that will segregate buildings according to use, but it is also necessary that there shall be a segregation according to intensity of building development. This is essential in order to secure to each section of the city as much light, air, safety from fire and relief from congestion, with all its attendant evils, as it consistent with the most beneficial use of the land. Intensity of use should be so regulated that, assuming that the entire section should be built up uniformly with buildings of the maximum height and extent allowed, the section as a whole would be appropriately improved.

A speculative builder puts up the first high building in a block. The windows are placed on property lines or on very narrow courts or yards. Securing its light and air from above the surrounding low buildings, it is very attractive to tenants and shows a good return on the investment. When, however, the building is blanketed on either side and on the rear by towering buildings of the same height and the supply of light and air is cut off, rents decline and the value of property is seriously impaired.

There can be no maintenance of healthful conditions of light and air and no stability of values if each individual owner is at liberty to build to any height and over any portion of his lot without regard to his appropriate and reasonable contribution to the light and air of the block.

The zone plan accordingly establishes zones for the purpose of regulating the height of buildings and the area of yards, courts and other open spaces. Five classes of height districts are established limiting the height of the building at the street line to a varying multiple of the street width. The multiple of street width rule limits the height of a building at the street line only. The building may be carried higher by means of mansards or vertical walls provided such extended portion is set back in a prescribed ratio. As an exception to the general height and set back rule, special regulations are provided for dormers and towers. If the area of a building is reduced so that above a certain level it covers only 25 per cent of the area of the lot, a street wall above such level may be carried to any height provided it is distant 75 feet from the center of the street.

The zone plan also establishes five classes of area districts, A, B, C, D and E, with varying regulations as to size of yards and other open spaces. Except in A districts, any building that is back to back with the rear of another property and is more than 55 feet back from the nearest street must have a rear yard. The requirement for a rear yard is reciprocal. No building is required to have a rear yard unless a similar obligation could be imposed for any building hereafter erected immediately behind such yard. In addition to a percentage requirement as to depth of the yard at its lowest level, the yard must increase in depth with the height of the yard, being not less than one inch, two inches, three inches, four inches or five inches in depth for each one foot of its height, according as it is located in the B, C, D or E district.

The A district is essentially a warehouse district and is confined to a narrow belt along the navigable waterfront and along the rail terminals. No yards are required in this district.

The B and C districts include all of the residence sections in which a tenement or apartment house development is anticipated. The restrictions provided for the D districts are especially appropriate for one- and two-family house sections, especially where houses occur in rows. They are also appropriate for multi-family houses provided they are built with more adequate courts and open spaces than has formerly been customary. The minimum dimensions of yards and courts in the D districts are double those required for buildings in the B districts.

The E district regulations are particularly appropriate for detached or semi-detached houses on lots 40 feet or more in width. They are applied under the zone plan to a number of residence sections at present built up with villa houses conforming in general to the regulations prescribed for an E district. The E district regulations are also applied to considerable

undeveloped areas in which a high-class villa development seems appropriate.

LEGALITY OF THE ZONE PLAN

Many American cities have had more or less experience with certain phases of the zoning principle. Boston and Washington have established height districts; Los Angeles has created residence and industrial districts; Minneapolis has created sporadic residential districts; numerous other cities have created districts from which stables and other designated uses of a nuisance character are excluded; various other cities have experimented with the imposition of restrictions based on the petition or consent of the property owners in a particular block.

The New York zone plan differs materially in scope and method from any of the above attempts to regulate building development. The New York plan is complete and comprehensive. It covers the height of buildings, the area of courts and yards, and the location of trades and industries. It is applied throughout the five boroughs of the city. It is the result of a conscious, intelligent effort to direct the building of the city in accord with a well-considered plan.

Moreover the New York zone plan differs notably from these other partial applications of the zoning principle in the very great care given to its preparation. It is the result of some three years of careful research, investigation and conference. It was worked out by a commission admirably suited by training and experience for the difficult task in hand. This commission had the assistance of an expert staff that devoted itself unreservedly to the work.

The entire work has, moreover, been based on a strict adherence to the purposes for which the police power may be exercised, *i. e.*, the public health, safety, order and general welfare. The testimony taken by the commission is filled with statements by experts showing the great importance of the various features of the zone plan to the public health, safety and general welfare. While, however, these considerations have been basic, there has gone hand in hand a careful weighing and estimate of all the economic factors that must have a bearing on the reasonableness of any specific regulation. Moderation and proportionateness of means to ends which are the essence of reasonableness have been secured by a most careful consideration of existing conditions of building development and of existing economic tendencies.

The courts have passed on a number of these partial applications of the zoning principle in other cities. Most of these decisions have been favorable. A few sporadic and very partial and incomplete applications of the zoning principle have been declared unconstitutional. These adverse decisions by reason of the partial application of the regulations in question and the different methods used in their preparation can be of little value in considering the constitutionality of the New York zone plan. While,

for example, it may be difficult to see anything but a discriminating and confiscatory interference in a regulation prohibiting trade and industry in a single block or in a single small section of a city, the public purpose behind such a regulation may be clear and unmistakable if it is applied, not to a single block, but to all the residence sections of the city and is a part of a comprehensive, well-considered plan of city building. While a specific regulation taken by itself may not seem to have a very direct relation to the purposes for which the police power may be invoked, yet when taken as a part of a comprehensive plan for the control of building development throughout the entire city, its relation to such purposes may be unmistakable. Grant that a comprehensive zone plan is essential to the public health, safety and general welfare, and it follows that every specific regulation that is an essential part of such comprehensive system is justified under the police power.

The reasonableness of any particular classification contained in the New York zone plan must, therefore, be based not on whether such classification can, standing alone as an isolated regulation, be justified as a reasonable exercise of the police power, but must be based (1) on whether a general zone plan is essential to the public health, safety and general welfare, and (2) on whether the classification in question is essential to this general plan.

The report of the heights of buildings commission of December 23, 1913, the report of the commission on building districts and restrictions of June 2, 1916, and the report of the committee of the whole of the board of estimate and apportionment of July 18, 1916, furnish detailed, authoritative and convincing proof of the thoroughness with which the zone plan for New York city has been worked out and of the necessity of its adoption in the interest of the public health, safety and general welfare. These documents also demonstrate conclusively that the enlightened civic and moral sense of the community demanded that the former haphazard method of building development should cease and that a comprehensive plan for the control of city building should be adopted. The United States supreme court in *Noble State Bank v. Haskell*, 219 U. S. 104, 111, said that: "In a general way . . . the police power extends to all the great public needs. . . . It may be put forth in aid of what is sanctioned by usage, or held by the prevailing morality or strong and preponderant opinion to be greatly and immediately necessary to the public welfare." There has seldom been an important public regulation affecting vitally such vast interests that has had such universal public support as has the New York building zone plan. When the plan came before the board of estimate and apportionment for adoption the committee of the whole of that board reported that:

The general support that has been given the proposed plan by every interest affected is proof both that it serves an urgent need and that it has

been worked out with care, discrimination and moderation. The real estate, lending and building interests are united in their support of the plan; as are also the commercial and civic associations. Not a single organization of any kind has opposed the general plan. Two or three individuals have registered their unalterable opposition to the principles involved. If the plan had been presented only a few years ago the protestants would doubtless have been legion. A great change has come about in the way that people look at this question. Zoning, instead of being regarded as confiscatory, unconstitutional, arbitrary and impractical, is now generally regarded as reasonable, obvious and absolutely necessary for the preservation of the city and of the property interests affected.

FUTURE DEVELOPMENT OF THE ZONE PLAN

The board of estimate has full power to amend and supplement the plan adopted. Many minor changes will be necessary to correct imperfections in the plan. There are doubtless errors and omissions that will be brought out only by actual operation. Other amendments will be required to meet changing conditions of city growth. It is to be expected that the plan must be supplemented and changed when certain fundamental factors affecting the physical structure of the city have been worked out. The charter provides that the board of estimate and apportionment may after public notice and hearing amend or supplement the plan from time to time. If, however, the owners of 20 per cent of the frontage affected by a proposed change protest against such change, it can only be made by a unanimous vote of the board.

CITY PLANNING AND POLITICAL AREAS

BY GEORGE E. HOOKER

Chicago

THE question of how best to divide a country into political areas for purposes of government is always a difficult as it is a fundamentally important one. It is bound to be an especially vexed matter to resolve in a country which—as is true generally of the modern world—is undergoing rapid social changes, owing to new applications of science and resultant shifts of population.

We are in the midst of such changes now, and a revolution is actually taking place accordingly in our political areas—a revolution not unnaturally presenting many cases of maladjustment and plainly needing guidance. Our country is divided into states, the state into counties and the county into towns, each political unit in the descending series dealing with more and more localized interests. This series, however, fitting rural conditions and based on approximate equality of area of counties with counties and towns with towns, is being broken into on every hand by the industrializing and urbanizing movement. The growing population has been distributing itself more and more in aggregations at particular points. A new network of pulsating centers, presenting new physical problems and requiring new political authorities to deal with them, has been superimposed upon the country's original system of political areas and is remapping the most active and important—although in extent comparatively limited—parts of the country. The process, however, is not standardized, and it shows many misfits—many cases where the political areas do not match in size, and therefore do not meet, the problems of physical organization requiring to be dealt with. These expanding communities, representing in no small part the enterprise of the nation, need efficient communication, outward and local, extended systems of water supply and waste disposal, ample spaces, properly placed with reference to each other, for their domestic, business, recreative and cultural life, and a wise distribution and development of all the physical factors which should make up their internal organization. What are the best sizes of political areas for dealing successfully with the nice and insistent city planning problems thus presented?

GAIN AND LOSS THROUGH LOCALISM

Chicago's instructive experience in this direction suggests that, in respect to our large cities at least, political areas should for some city planning purposes be more local and for others more metropolitan than they

now are. A generation and a half ago, Chicago was in need of parks, inside and outside the city limits. Neither county, town, nor city, corresponded in bounds even approximately with the area for which a park system was needed. Instead, however, of enlarging the city to such bounds and giving it power to acquire parks, the legislature created three new park authorities, each covering about a third part of the city together with adjacent territory outside the city limits, and authorized each of these boards, acting independently, to acquire parks. As the city has expanded, additional park districts have, under state law, been formed, and there are now sixteen inside the city, each an independent park-acquiring and taxing authority.

That this multiplication of local park authorities has had certain beneficial results due to its localism, can scarcely be denied, in the light of the world-famous developments in recreation facilities which Chicago's park districts have produced. Possibly the explanation of these developments lies partly in the fact that by the unequal distribution of park taxes which resulted from the district plan, the board which profited became especially venturesome and so set an example in playgrounds which other boards eagerly followed. It must also be said that the local boards, despite the bad methods of creating some of them, have compared favorably in personnel with other governing bodies in the community and have represented important forces of district pride and ambition.

On the other hand, from the financial standpoint and from the standpoint of comprehensive development, Chicago's system of independent park boards has proved seriously deficient. The raising of the revenues by districts has not distributed resources equitably either according to contributions or according to need, and financially the system of localism has been wasteful as well as unfair. The Chicago bureau of public efficiency has reported that half a million dollars could be saved annually in the cost of administration if park consolidation were adopted. Nor have the recreation needs of the community as a whole ever been perceived by any one of the various boards or by all of them together. It was in fact the city council, representing the entire city, which, by its special park commission, formed in 1899, initiated the movement for adequate provision of recreation facilities on some inclusive plan—which movement was later taken up by the local park boards with such brilliant results in playground development. Some localities are still neglected, and no closely studied comprehensive scheme has even yet been accomplished or formulated for the entire community.

Another unfortunate but logical result of the local system—in which the north and south branches of the Chicago river have been boundaries between the principal park districts—is that this river, although it is the chief and only important natural feature of the interior of the city, has never been improved for a foot of its length for the adornment of the city.

or for pleasure purposes. It has instead been a sort of buffer state or no-man's land between the separate park boards, no one of which had jurisdiction over it as a whole, or even over both sides of it at any point. To improve one side would have been to take chances as to the other side, and its improvement has thus been practically impossible. Quite opposite results have occurred in respect to the interior water courses of Boston, all of which have been within the jurisdiction of one authority, the Metropolitan park commission.

CO-OPERATION NEEDED

The plan, however, of enlarging local political areas to keep pace with the geographical expansion of city planning problems, cannot be carried to indefinite lengths. After such enlargement has been carried as far as it reasonably should be, such problems, crossing boundaries between political areas, will still remain, and they will require to be dealt with by the state or the nation.

For example, the county of Cook, which includes Chicago and about four times as much territory outside its limits, has at last been clothed with authority to acquire a metropolitan park system and is proceeding to do so. The county corresponds roughly to the region interested in this project, and the creation of another political area to deal with it is thus avoided. No sooner does the county begin its task, however, than, despite its own great size, it discovers that at least in one direction and perhaps in two, this task logically extends as a unit across the line into another county, whose co-operation is thus highly desirable. It is trying now to secure this co-operation on a fair basis through friendly negotiation. Possibly it can be so secured. If not, the completeness of this essentially city planning project will, of course, suffer accordingly. The state is the natural political area to insure that co-operation between two of its subsidiary areas.

But city planning problems may also become inter-state. Across the state line from Chicago, on the southeast shore of Lake Michigan, lie the Indiana sand dunes, several square miles of which are greatly desired as a public reservation which shall preserve for the Chicago region, for the nearby industrial cities of Indiana and for the country at large, the plant and wild animal life and the unique natural beauty for which these dunes are famed. Accordingly, under a resolution of the United States Senate, the department of the interior held a public hearing in Chicago a few weeks ago on the desirability of acquiring this tract as a national park through federal action. Whether it is so acquired or not, the case illustrates a class of city planning interests involving joint needs extending into two states—for the protection of which needs, if the national government is not to function in some manner, either by acquiring the areas

directly or by promoting co-operation between the two states to that end, no political areas exist which are adapted to function.

To avoid undue multiplication of political areas we must try to arrange them to meet not merely one important city planning need of the community—parks, water, drainage, sewerage, means of transport, industrial areas, homes, etc.—but so as to insure that all these physical factors of the community are *co-ordinated* in an organic fashion. In other words these different factors must be developed under unified control. Those responsible for them must report to a common head. They cannot, even if developed for the same area, be carried out by authorities independent of each other.

This fact may likewise be illustrated by the experience of Chicago—as it could be by that of many other communities. The sanitary district of Chicago, comprising the city and as much more territory outside, was created nearly thirty years ago as an independent legislative, administrative and taxing authority, to provide for drainage and sewage disposal for the community. Despite its large operations and expenditures, however, it has had no organic or indeed co-operative relations with any other local authority. One result of this isolation is that while the community's park agencies have been advocating or making large expenditures to increase the attractiveness and availability of the surrounding country for recreation, the sanitary district has carried out its work in such a manner—and needlessly so—as almost to ruin the appearance of some of the most beautiful environs of the city. Had the park bodies and the sanitary district board been brought into direct administrative contact with each other as parts of the same government, such nullification by one department of the specific objects of another could not conceivably have taken place.

Again, the public schools of the city are under an independent board, which, though co-extensive in jurisdiction with the city, is not a part of the city government. It is not administratively associated thus with any of the park bodies, not even with the city's special park commission. This separation is undoubtedly responsible for the conspicuous failure of our public education system and our public recreation system to work, both in the planning and in the use of properties, with that *co-operation* which is so obviously appropriate and so urgently demanded.

So, too, the isolation of the government of both the parks and schools from the other branches of the city government has deprived these departments of what might otherwise have been a wholesome contact with the cultural and humanizing ideas attaching to the subject of parks and the subject of schools, ideas whose incidence upon those departments is desirable.

Political areas should then be adjusted in extent to the extent of the problems with which they are to deal, but instead of creating a separate

political area to deal with a particular problem, the aim should, at least ordinarily, be to adjust the area in size to the resultant of the demands, in respect to size, of the group of problems, local to that general area, which should be dealt with co-operatively, and hence under one authority. These problems can be best dealt with some by small and some by large units of area.

THE NEIGHBORHOOD

(1) There is then a need to-day, from the standpoint of city planning, for a standard political area corresponding to the city neighborhood—or if one answers that there are no such things as city neighborhoods, then for the city neighborhood that ought to exist. A large city should be divided into local or neighborhood governments, presumably elective, which should, under the city government, have charge of certain physical interests of the district. The desirability of having real city neighborhoods matching certain city planning needs—and, through meeting these, realizing also certain spiritual ends—neighborhoods defined and vitalized by the possession accordingly of certain governing powers, is enforced in many ways.

It is emphasized by the monotonous lack of local structural design and thus of efficient organic character in our outspread cities, looked at as wholes. It is emphasized by the struggling efforts of groups of persons in various localities, through local improvement clubs, to affect their local physical conditions by their joint efforts, and by the fact that, as things are, a great part of the people feel helpless or indifferent concerning these matters. It is emphasized by projects which have been made by architects and sociologists to design fit groupings for local institutions, business, cultural and social, with a view to the better performance of their proper functions and a better symbolizing of the idea of neighborhood solidarity. It is emphasized by the zealous and in many places locally rooted social center movement, which has spread so widely during the last few years. It is emphasized by the desire of the finest elements of many isolated nationality groups for broad and inclusive co-operation in their districts toward social welfare, and by the spreading notion that the common folk should be mustered into the life of the community as they have not been heretofore. It is emphasized by the recognized need for moderating the excessive and wasteful mobility of city populations, by giving more meaning to locality and making neighborhoods more worthy of permanent residence. It is emphasized by the fact that certain local interests, touching both the physical functions and the social aims of modern government, can be better understood and administered locally than by the long range machinery of a city government centering at city hall and covering perhaps scores or hundreds of square miles. It is emphasized by the historical fact that the finest architectural

embodiments of human institutions and ideals have for the most part been wrought out by communities of limited size, as ancient Athens and the cathedral cities of Europe amply testify.

As to precisely what functions would lend themselves to efficient local management—possibly the design, construction, maintenance and adornment of local streets, the removal of household waste, the provision of some recreation factors, especially for the smallest children, the receipt of taxes, the registration of vital statistics, the development of an architectural scheme for a real neighborhood center—whether these are some of the functions which might be considered as appropriate for local management, is a question upon which I do not wish now to enter. Nor need we now discuss whether this primary governing area should comprise one square mile or ten, 10,000 people or 100,000. Cases would be decided according to circumstances. Just as local intelligence, pride and initiative, however, are invaluable in smaller cities for the purposes of government, just as the value of these forces is indicated by that fear of losing them which leads many outside communities to resist annexation to larger communities—so, I believe, these forces will, when given fair opportunity, demonstrate their value and efficiency toward limited city neighborhood government on a well-considered plan. I believe that the proper scope and objects of city planning will be neither adequately conceived nor adequately achieved except through the application to the large city of some federal scheme which will bring to bear the potentialities of neighborhood political areas as such for their own higher physical organization.

THE CITY

(2) The next larger political area should of course be the city itself. This unit should first deal with cases, bound to arise, of disagreement between two adjacent neighborhood governments, concerning problems affecting both, and hence requiring co-operation between them. The city itself, through some appropriate and expeditious method, should resolve such differences. But the city's main duty will be to manage all those public physical aspects and functions of the community—those city planning problems—which concern it as a whole and therefore require unity of treatment over the entire site of the community life. The adaptation of the city to meet the main group of city planning problems is recognized and needs no argument.

THE STATE

(3) If the city be a growing one, however, and especially if there are other nearby cities, there arises a difficulty well stated in a private letter by Mr. Mayo Fesler, who, using his own city as an example, says, "In Cleveland we are prohibited from working out any comprehensive city plan because all about the city are a number of satellite cities which

have as full powers as Cleveland itself. They are not big enough to be interested in a comprehensive city plan. This condition is true of practically every large city in the country."

There are three ways of meeting this difficulty. One is by creating a special metropolitan district to deal with each important problem of the metropolitan area. This method has been most conspicuously used for the Boston area, where there are now the Boston metropolitan park commission, the metropolitan sewage commission and the metropolitan water commission, and where a metropolitan city planning commission is being sought. Even ignoring questions of cost, however, this method fails to insure co-operative management as between the different problems dealt with, and the creation of a greater Boston, which could manage these problems in a unified manner, is, I think, generally admitted by students to be desirable. Perhaps, too, the most hopeful contribution toward clearing the way for this desirable enlargement would be the devising of some practicable plan of limited local government for the various communities which would make up the greater city.

Another method of coping with the difficulty in question is to give cities power to control the layout of land beyond the city limits. In several states power of this sort has been conferred for a distance of from one and one-half to five miles beyond the city limits, and one student of these problems has advocated that this distance be twenty-five miles. The method violates the fundamental principle of representation, however, with respect to such outside territory.

Still another expedient would be a state department which, for meeting the wide-spreading physical problems of a metropolitan district, could require proper co-operation, under its own supervision, between the various cities or towns affected by those problems. Under the British town planning act—the most important piece of city planning legislation in our language—the Local Government Board, a national department, can require such co-operative treatment of city planning problems. It can commission one local authority to deal completely with a city planning scheme extending into the territory of two authorities, or it can require the two authorities to create a joint authority to handle the scheme, the board itself exercising supervision over the way in which either plan is carried out.

The enlarging of the city to match the real metropolitan community is the natural method of dealing advantageously with metropolitan city planning problems. But the need would still exist for some efficient means of dealing with cases of disagreement between adjacent political areas in the same state concerning city planning questions involving them all. For these cases a state department, in some respects similar to the English Local Government Board, is required. Such a department of cities should also promote city planning interests generally in the state.

THE NATION

(4) Cases still remain where the proper development of one community requires in a very definite and immediate way some related development across the line in another state, which development may or may not be beneficial to that state, or some of its communities. Since rivers often serve as state boundaries and also as sites for cities, such cases are not infrequent, and some of them are of great importance from the standpoint of city planning. At present there is no efficient administrative machinery for dealing with them. The recent inquiry in Chicago concerning the Indiana sand dunes was a recognition that the need for such machinery exists. Some adapted federal authority should be provided to meet this need in the best manner possible under existing constitutional conditions.

THE FOUR AREAS SHOULD ACT

To sum up then: The United States is now nearly half urban and is becoming steadily more largely urban. The interests of city planning demand, for the urbanized portions of our country, the operation of a four-fold scheme of political areas, comprising:

(1) The city neighborhood, clothed with power to deal with certain local problems, and enlisting local intelligence and interest.

(2) The city, which should secure administrative co-operation where needed between adjacent neighborhood governments within its boundaries, handle directly and co-ordinately the great city planning problems affecting the community as a whole, and be expanded from time to time so as to be always approximately co-extensive in area with the community itself.

(3) A state department of cities, which should concern itself with the interests of all cities of the state, and particularly have certain powers, after the plan of the English Local Government Board, to require co-operation if necessary between adjacent towns, cities or counties respecting city planning problems affecting them in common.

(4) A National Department of Urban Life which should deal with cases where the city planning interests of one community reach over into another state so as to require co-operation between the two states or between communities in them, and should promote the physical improvement of American cities generally.

A word may be added concerning the proposal that the nation should be the fourth political area to concern itself with the demands of city planning and should accordingly create a department of urban life or some similar agency.

The time has come when the problem of city planning, interpreted according to its true scope, should be recognized as essentially a national

problem, by reason of the fact that it concerns our most fundamental and vital national interests. In the first place it concerns the conditions under which industry and commerce are carried on, and if we are to be a successful industrial and commercial nation, the proper industrial and commercial economies to be realized through the application of intelligent and far-reaching city planning principles must be thrown into the balance in our efforts for conserving our people and in the rivalries of nations.

Not only the economic power of the country, but the ability of the country to maintain itself in case it should ever be put to the ultimate test of war, depend in no small degree upon those home surroundings which, if above standard, mean initiative and resourcefulness among the people, and if below standard mean depressed personal powers and low grade achievements. The bringing of these surroundings up to standard for the rank and file of our city population should be made a national aim, to be forwarded through city planning science.

Ultimately the strength and constructive power which a nation can exert is very largely a psychological matter and rests back upon the real interest of the people themselves in their country and their firesides. If this personal devotion is to be realized and is to be made available not alone for social solidarity but for broad national ends, our cities must be made worthy of such devotion from the people who occupy them. Their perfecting should therefore be a national policy.

At the present time city planning legislation awaits action separately by forty-eight different states, most of which have thus far ignored the subject, and no one of which either realizes its importance or is qualified in scope of vision or in resources to deal adequately with it. The nation is the only unit which can so deal with the subject, and its resources and prestige should be enlisted, if not, under our system, in actual administrative control of city planning work, at least in those investigations and frontier experimental studies which are to-day so urgently demanded for the proper development of city planning science, for bringing its importance before our cities generally and for making it available for their use. Think of what the results would be of a million dollars, for example, intelligently devoted at the present time to this subject by the federal government. France is to-day maturing a program for the reconstruction, on a national scale, after the war, of both her devastated and her untouched cities. England is similarly aroused. Can we not, without being driven to it by a war, undertake, as a national task, the internal regeneration of our cities? I emphasize, for city planning purposes, the importance not alone of the three political units, neighborhood, city and state, but likewise of a fourth—the nation.

WHAT HAS BEEN ACCOMPLISHED IN CITY PLANNING DURING THE PAST YEAR

BY GEORGE B. FORD

*New York City*¹

THE past year was one of tremendous significance to the cause of city planning. Of the fifty-odd cities of over one hundred thousand population in the United States, twenty-two have made a distinct and notable contribution, in the past year, to the rapidly increasing volume of city planning history and achievement. Of the cities of from 25,000 to 100,000 population, which number about two hundred, twenty-nine may be counted on the roll of those that have made important and constructive advances in city planning, during the same period. A large number of cities and towns of lesser size have to their credit accomplishments which, in the mass, are not of the least importance. In Canada, despite the preoccupation of the people of the cities with the war, Thomas Adams, town planning adviser of the commission of conservation, reports a widespread interest and activity there, both in the formulation and passage of laws and in organization for constructive work. In Europe, and particularly in France and England, which countries I have had the good fortune to visit in the course of the past three months, city planning is not only alive,—it is making enormous strides as evidenced in the work which I saw under way in Paris, Marseilles, Lyons, Limoges, Rheims, and in London, not to mention numerous lesser places. In India, even, where one would be led to expect but little, British enthusiasm for city planning has roused the great and congested cities, such as Madras, Bombay and Calcutta to a realization of their city planning needs, and we are regularly in receipt of reports of progress being made there—progress which, indeed, would put many of our proud American cities to shame. The city planning movement has never enjoyed a more hopeful, indeed more constructive year than that just past.

It is peculiarly significant—and pregnant with a lesson of the utmost importance—that in the United States nearly 45 per cent of the cities of over 100,000 have taken great forward steps in town planning the past year—as against 15 per cent, less than one sixth, of the cities of lesser size (25,000 to 100,000 population) which show progress. Although it

¹Address delivered at the annual meeting of the National Municipal League, at Springfield, Mass., November 23, 1916. See NATIONAL MUNICIPAL REVIEW, vol. vi, p. 182.

may be said that the larger cities contain a proportionately larger number of persons capable of appreciating and participating in a city planning movement. I believe the conclusion may be safely drawn that the large cities are finding the handicap of haphazard and uncontrolled city development intolerable, and are being forced to undertake scientific planning, at great expense in many cases, out of sheer self-preservation and to retrieve the losses, economic and social, which the piled-up neglect of past years has brought about. For the lesser cities, the lesson of the larger cities is assuming increasing significance. The cities of from 25,000 to 100,000 inhabitants have begun to realize—at least one sixth of them have done so in the past year—that the way to avoid the costly reconstruction, the losses to industry and trade—the social ills and hygienic hardships which follow in the wake of uncontrolled city growth—is to take a firm stand now, as against the day of expansion of trade, of extension of boundaries, of increase of population.

If we scan the record of accomplishment in city planning for the past year, one item in the hundreds that would bear report and analysis here if time permitted, stands out most strikingly. It is New York city's contribution—the districting or zoning ordinance passed by the board of estimate and apportionment in July last. Not since the inauguration of the movement for conscious city planning, back in 1893, has a page of city planning history been written which embodies so many vital and interesting features as the New York districting movement and the resulting ordinance. So much has been written about this and the way in which it was built up, that I must forego more than the briefest reference to this subject. The ordinance itself is a compromise in many respects—it is not drastic enough to serve as a model for other cities—but it embodies all of the principles of the most advanced and comprehensive zoning program. The success attending the New York measure may be attributed to the thorough and unremitting campaign of education which was carried on, for the lack of which city planning has failed so often in America.

As a result of the success of the New York movement, we find that districting work is being organized, or is being actively promoted, or actually carried on, in the following municipalities:

Akron	Elgin	Ottawa
Berkeley	Little Rock	Philadelphia
Chicago	Los Angeles	Sacramento
Baltimore	Milwaukee	St. Louis
Cleveland	Minneapolis	Springfield, Mass.
Des Moines	Newark	Washington, D. C.
East Orange	Omaha	

This is certainly a remarkable showing considering the short space of time in which the movement has been gaining impetus—and one of the greatest significance.

However, during the past year, districting as a part of city planning has occupied public attention largely to the exclusion of the other aspects of the city planning problem, for much that is truly noteworthy has been done in other fields in the course of the past twelve months. Comprehensive city plans, varying enormously, however, in intrinsic merit and practical adaptability to actual conditions, are under way or have been prepared for the following cities:

Akron	Elgin	Omaha
Allentown	Johnstown	Ottawa, Ontario
Bayonne	Lawrence	Pasadena
Birmingham	Milwaukee	Pueblo
Brantford, Ontario	Minneapolis	Sacramento
East Boston, Mass.	Newark	St. Louis
East Orange	Oakland and Berkeley	South Philadelphia
Detroit		

These plans cover all or a large number of the special phases of the city plan, including the street system, land subdivisions, transportation, waterfront improvement, parks, recreation, etc. The plans for Ottawa, for Oakland and Berkeley, and for Newark, are remarkable examples of the most advanced practice in investigation and planning, and that for Ottawa is presented in one of the most beautifully printed and illustrated reports yet published in America.

This brief review of the city planning accomplishment of the past year would, however, not be complete without a reference to the special studies on city planning problems made for various cities throughout America by city planners and landscape architects. Among the most notable are the following:

Boston, markets
 Cambridge, study of building development, etc.
 Camden, street replanning
 Cleveland, street and bridge improvements
 Denver, revision of the civic center plan
 Fitchburg, study of main thoroughfares and street system
 Holyoke, street planning studies
 Madison, recreation survey and plan
 Milwaukee, general survey and report
 Peoria, streets and parks
 Providence, plan for capitol site and thoroughfares
 San Francisco, new plan for the exposition site
 Springfield, control of billboard advertising, recreation
 Vancouver, civic center plan

Site planning, particularly for the provision of home sites on a large scale, has been undertaken by private enterprise in many cities, under the direction of town planners or landscape architects, during the past year. In this connection, also, special studies have been made for the housing of workingmen. In this class, the following are particularly noteworthy, as having been consummated in the past year:

Akron, Firestone park development
 Bridgeport, housing studies for the chamber of commerce
 Duluth, Morgan park, for the U. S. Steel Corporation
 Midland, Pa., townsite for industrial plant
 Ojibway, Canada, new town for the U. S. Steel Corporation
 Passaic, Allwood garden village for the Brighton mills
 Washington, D. C., Ellen Wilson memorial homes development
 Waterbury, housing studies for local committee
 Kenosha, housing development plan for local organization

These garden village or housing developments are not the least important of the town planning problems which have been under way or completed in the past year, for in this branch of city planning, we find an increasing opportunity to achieve permanent and notable results in the rectification of haphazard development on the perimeter of our rapidly growing cities.

Turning now to city planning legislation, we find an unprecedented activity throughout America among semi-public or official bodies, and in the legislatures of many states. In the past year, the following have been particularly active in the promotion, drafting or passage of laws or ordinances for city planning:

- (a) California, permissive law for the appointment of city planning commissions.
 Massachusetts, law providing for the appointment of boards of survey, with control over platting.
 Pennsylvania, permissive law for appointment of a districting commission in cities of the first class.
 Indiana, energetic steps for securing the passage of a city planning law.
- (b) Ordinances in Akron, Bayonne, East Orange, Johnstown, Mansfield (Ohio), Mt. Vernon, Santa Monica (Calif.), Toledo, creating city planning commissions under state permissive laws. In Cincinnati, strenuous efforts by public-spirited citizens to secure appointive ordinance.
- (c) Ordinances in Berkeley, New York and Sacramento, making districting control effective. Ordinances in Philadelphia, Minneapolis, creating districting commissions. Energetic steps being taken in St. Louis, St. Paul and Washington, D. C., to secure the advantages of districting control.

In Canada, the provinces Alberta, Saskatchewan, Manitoba, Ontario, Quebec, New Brunswick, and Nova Scotia, have secured provincial town planning acts based on the English town planning act of 1909, or are taking energetic steps to secure the passage of acts, and the cities of

Vancouver, Edmonton, Calgary, Winnipeg, Toronto, Ottawa, St. John, are at work under such acts or are preparing to start on town planning pending the passage of acts.

The above remarkable record of a year's advance in city planning would not be complete without reference to recent developments in propagandist work for city planning during the past year. Perhaps the most interesting matter in this field is the conference of national organizations for co-operative endeavor in city planning which met for the second time at the National Conference on City Planning, Cleveland, last June. At its meeting, a committee was appointed from among the delegates to study the possibilities of securing a national bureau for city planning and municipal investigation. Another development in this field in the past year, is the launching of the federation of Massachusetts planning boards, an accomplishment of which much could be said regarding its possibilities for promoting wider interest and constructive planning throughout the state. In Pennsylvania, Texas, California and other states, we find leagues of city planning commissions, meeting at regular periods to discuss the problems of city planning and to foster legislation and create public interest in the work.

All of us here present are keenly appreciative of the worth, even the vital necessity, of comprehensive planning for our towns and even for our counties and states. We cannot help but be inspired by the splendid showing which the nations of the world, and, in particular, our own country, have made during the last year. To those of us who have been at work in city planning during the past year, and who have come gradually to a realization of its great importance, it is our duty, I will say more, it is our privilege to spread the gospel far and wide throughout the land. A great campaign of education of the general public to the urgency of planning, either through the medium of a national bureau of city planning or through private organizations, is vitally necessary. It falls to our lot to see this through.

CITY PLANNING PROGRESS¹

CINCINNATI: ALFRED BETTMAN

We took the need of city planning for granted, so we formed a joint civic committee on city planning, and as the cities of Ohio did not have any power to create city planning boards, the first thing to do was to draft and have the legislature pass a statute on the subject; which was done. The statute was so framed as to fit all forms of government which might be in existence in the various cities of Ohio, and, I believe, has been referred to with considerable praise by men who are professionally engaged in city planning. The woman's city club of Cincinnati was active in pushing the bill through the legislature. Although the statute had been written and promoted by Cincinnatians, the city council of Cincinnati refused to create a commission as provided by the statute. Other cities in Ohio, however, gladly availed themselves of the opportunity afforded by the statute. The Cincinnati council objected to that portion of the statute which required a two-thirds vote in council for any departure from the city plan after the city plan had been laid out by the planning commission. They seemed to feel that this was an interference with the prerogatives of council. Thereupon the mayor of the city was induced to appoint a non-official commission, the basis of selection of members to be the same as provided for in the statute for an official commission. This non-official commission has no powers nor funds; but it is at work. It invited Mr. Adams, the Canadian expert, to come to Cincinnati and discuss the work of the commission. Mr. Adams made a great impression, and it looked as though the enthusiasm might be productive of funds and results, when one of the commissioners, a lawyer and city official, raised the question of the constitutionality in the United States of the sort of city planning which Mr. Adams had been so successfully describing. This question of constitutionality is often a great dampener, and I fear it was so on this occasion. So I sincerely trust that Mr. Whitten's prophecies will prove true and the constitutionality of the New York zoning ordinances will be upheld. I believe that districting and the other features of a city planning scheme will generally be upheld by the courts, when the legislation is the result of a comprehensive and scientific study. For the courts have really gone no further than to exclude districting or other regulations for purely esthetic purposes or the arbitrary selection of a district or zone. A comprehensive city plan, based on a thorough,

¹ Being the report of the discussion of the city planning papers read at the Springfield meeting of the National Municipal League and the Massachusetts federation of planning boards.

expert study and upon the promotion of the health, safety and comfort of the whole community, will surely sooner or later—and probably sooner—be upheld by the supreme court of the United States as a modern form of the regulation of the use of private property for the promotion of general public safety, health, comfort and welfare; especially as it can be demonstrated, if the ordinance is based upon a thorough study of the situation, that the effect of a city planning ordinance will tend to be toward the stabilizing of values, rather than of destroying or diminishing values. So I do not believe this constitutional question need put a damper on the enthusiasm or energy of any city planning commission.

DALLAS, TEXAS: CHARLES SAVILLE²

The city planning meetings held here in Springfield during the past week have been especially interesting and helpful to me, because down in Texas we have many rapidly growing communities which need some form of organized planning for their best development.

That Texas municipalities have not been slow to appreciate this need is shown by the existence, at the present time, of two state-wide organizations; one, the "Texas town and city planning association," the purpose of which is to educate public opinion in the importance of well ordered civic improvements; the other, "The league of Texas municipalities," which has for its aim increased efficiency in municipal administration. Both of these organizations have rapidly growing memberships, and they hold one or more well attended conventions each year.

Several of the large cities of Texas have already employed city planning experts to work out a comprehensive scheme of civic development to meet their local conditions, and in one or two instances considerable constructive work has actually been carried out; but thus far there has been no provision made, in any instance, for a permanent non-partisan city planning board whose duty it should be to see that each succeeding administration accomplishes some definite part of the comprehensive plan of development which shall have been worked out in advance as a guide for the proper growth of the community.

We in Dallas realize that such a board, properly organized and financed, can be made a tremendously important factor in the development of our city, and we are now engaged in the preliminary work of developing public opinion along these lines.

THE BRIDGEPORT SITUATION: DR. JOHN NOLEN, CAMBRIDGE, MASS.

I am sorry to say that the story of Bridgeport is still largely on paper. The report of the city planning commission is in press and will be in circulation, I think, within a week. The real campaign for doing things, there-

² Director of public health.

fore, has hardly begun, and yet it is interesting to note several things that have already happened, although the report and recommendations have not yet really been made public.

One is with regard to the grouping of public buildings in the civic center. Bridgeport is far too centralized; it is being packed into too little space,—a space inadequate for its down town business. We were able to show in our plans the location which would be the logical place to expand to. We got the committee's approval of that site, and already one public board (the library) has voted to move in that direction. It will afford an immense relief to the congestion on the main street. There are other problems, such as whether we can overcome the forces that stand in the way of the construction of an approach and bridge at State street, which I think is the most necessary of all the improvements. The other improvement that I regard as fundamentally important is the matter of industrial housing. As a direct result of the city planning activities, the chamber of commerce taking the initiative, a permanent Bridgeport housing company has been formed, working in combination with the chamber of commerce and with the city plan commission, and with other bodies having much the same point of view. A half a million dollars has already been subscribed. We expect that another half a million will follow, and that at least two million dollars' worth of workmen's houses will be constructed. The business men have decided to go permanently into the business of fixing housing standards and of providing a better supply of homes for wage-earners, and if possible they will reach down to the lowest paid workers in the town.

Walpole, I believe, is not represented here by any member of its planning board. I shall speak of it, because I have been the adviser on the town plan, and I think the progress of the smaller towns and cities is important. The work began about three years ago. The town plan was adopted in March, 1914, by vote of the town, and an educational campaign carried on to promote general interest. Safeguarding regulations were adopted, including the betterment act, the board of survey act, the reserve space act, concurrent jurisdiction, authority for the town planning board to act as park commission, and the tenement house act. A compilation of laws was also made, and the preparation of a topographical survey carried through.

There were some nineteen or twenty physical improvements executed, including the widening of the main streets, the establishment of building lines, the acquisition of park lands, the inauguration of an improved civic center development, the enlargement and improvement of school grounds, the development of playgrounds, and a five-year program of systematic street changes.

One notable town planning improvement came through the gift of 175 acres adjoining the high school, as a town forest. The town appropriated

\$9,500 toward development, and 16,000 trees have been planted, 1,000 being set by the school children. The complete plan includes an amphitheatre, swimming pool, playgrounds, etc.

Organization and administration have not been neglected. A competent civil engineer has been engaged, a Walpole 1920 committee formed, the study of town government begun, activity by board of trade increased, and co-operation secured of a real estate association. This program of town planning and town development by Walpole, with a population of only 5,600, is an illustration of what a small town can do.

SPRINGFIELD, MASS.: CHARLES H. PARSONS

Ladies and gentlemen: I want to take this occasion to thank the members of all the out of town planning boards for their attendance here in Springfield, and for the many kind expressions which I have received since I have been here, which I desire not to accept individually, but on behalf of our board as a whole. We have appreciated your presence, and we thank you all for coming.

We have heard this morning about local city building lines and assessments. I want to, as briefly as I can, describe our experience here in Springfield on the practical side of assessment of betterments. I think that those who drove around the city this morning, as a great many of you doubtless did, must appreciate that Springfield has many problems in re-planning, and the impression made upon our city planning board when we first organized three years ago, after making a careful survey of the probable necessary changes during the next few years, was that we must find some way to finance these changes without breaking the city. Under the old way the Springfield city government had gone along for a great many years adopting changes under the assessment act, but never remembering to collect the assessments. We called the attention of our board of aldermen as sharply as possible to this condition and what it meant; that it was both misleading and expensive. We persisted in calling the attention of this board to the matter, to an extent that finally called forth an official rebuke.

About this time there was a matter which came to the attention of the public in the extension of Hillman street. It was announced by those interested that here was a very necessary public improvement, and it was heralded with much enthusiasm by the interested property owners. The proposition was made asking the city to put through this new extension. This was passed and approved by the board of public works at an estimated cost of a little over \$62,000. It passed the board of aldermen without a dissenting vote, and under the rule which had practically been established, assessments would have been forgotten. The spotlight was

turned on this enterprise by some of us, and we succeeded in having the scheme held up in the common council and voted down. To make a long story short, the property owners then got together and voluntarily assessed themselves over \$35,000 as a contribution towards this enterprise. Notwithstanding this object lesson and the fact that the business men and property owners themselves have learned to appreciate the justice of the assessment of betterments, yet in October, 1915, the assessments on both our new underpasses, which most of you will remember having seen and which have cost the city over half a million dollars, were allowed to lapse without a hand being raised. I think it is a fair question as a citizen of this community to ask "Why?"

There has been a growing demand for the widening of Dwight street from the railroad to State street, a distance of half a mile. This subject has been agitated for some time, and about a year ago a large mass meeting was called at the board of trade, which was attended by over one hundred people—mostly property owners. I was asked to speak at this mass meeting, and I voiced the opinion of the city planning commission that that enterprise would not be undertaken in Springfield until the property owners were ready to contribute a very substantial proportion of the expense, and the reasons given were thought good by the property owners present. Shortly after that a movement was started to get the property owners together and make an offer to the city to contribute towards the cost of this enterprise. At last night's meeting of the city council our board of public works reported recommending that this project be carried through at an estimated cost of over a million dollars. There were received and placed in the hands of the city, with the report, agreements on the part of the property owners along the way aggregating considerably over fifty per cent of all the abutters, in which they agreed if the work was carried out that they would pay the city a sum equal to \$160 per front foot on their holdings. Now, if this amount is collected, these agreements are exercised, and the remaining property owners are assessed a similar amount, the total amount of assessments along the right of way is estimated at \$646,173, over half of which is already pledged in writing. It has been estimated that the fragments of land left will be worth to the city \$113,000. This added to the assessment of \$646,000 would bring the net cost on their figures down to \$508,000. This \$646,000 can be materially added to by assessments along our side streets between Dwight and Main streets, and I think it is safe to say that, if this plan is carried out, city planning in Springfield, and city planning in Massachusetts, is entitled to be credited with at least seven hundred thousand dollars on the right side.

Now, that is what we think is real city planning in Springfield, and we think that city planning of that kind is a good deal better for a municipal government than being a good fellow.

CLEVELAND, OHIO: ALLEN T. BURNS

Mr. Chairman and delegates: There is just one thing about city planning that is getting rubbed in by public experience through the country, and I am saying this for the benefit of our friend from Cincinnati, that the lesson has been borne in upon me more and more that the making of city plans, except by those who are going to carry them out, involves a very large waste of perfectly good private funds. I think the thing that the cities of our country are gradually awakening to is that city plans cannot be self-imposed upon self-governing communities. If we have not the powers in our cities to have city planning boards with large governmental possibilities, then it seems to me the next best thing to do is to get such authority for our public officials or to persuade them to organize themselves, as an extra legal city planning board. That seems to me to go back to some of the fundamentals of self-government; that self-government is gradually going to work itself out. I suggest to public-spirited citizens who are interested in putting money in city planning, that we find some way to put it in through city officials. If the appropriations from the city are not sufficient, then it would be a good thing for us to make contributions to the boards, but let us not think that we can make the plan and expect to have it accepted ready-made by the city.

I think our friend means Cincinnati has not any power to adopt the city planning board. That is because Cincinnati has not been able or seen fit to take advantage of its city government or home rule charter. Cleveland is just in the situation of a city with the power but without the means. Some of us who are very much interested have taken a rather solemn resolve that if private means are to be used rather than public means, they can be used only through the direction of our public planning board.

I am sure that in that direction lies a much bigger promise of having something come after our city plans are made than by the very best plans that might be devised by private organization.

CHAIRMAN GEORGE B. FORD

Mr. Burns has just stirred up a contentious subject, and there are many who do not agree with him on that. Particularly is this true in smaller towns where it is difficult to find the right sort of spirit or personnel in the governing bodies to develop or put into effect city planning. In some of the larger cities plans which have come from outside have proved the ones which have been ultimately adopted. For example, in Chicago, the Chicago commercial club developed their remarkable plans: a private body, and yet these are the plans which are being put into effect in Chicago. A lot of us feel that it is so difficult to get legislation started

that it is oftentimes necessary to go through a long campaign of education and publicity before we can get the city authorities to develop city plans, and that the very working out of plans with the discussion on the part of the public which they arouse has been of value and may be made of profit, all so highly desirable in order to get city planning really started.

I am not going to speak any more about this myself, but if there is anyone else who wants to speak on this subject we would be glad to hear from him. Is there anybody who would like to speak on this subject?

BROCKTON, MASS.: WILLARD F. JACKSON

I was not able to report at the previous meeting we had at the hotel, but at Brockton this year we have run up against a very serious condition. We tried to put through what would be a connecting link in our thoroughfare leading from the railroad station into the west of the city, which is the principal or more highly developed residential section. We had very little difficulty in securing the co-operation of our aldermen and councilmen, but when it came to a question of seizure there were two remonstrants who had their lawyer there, and he started out to state that the special act passed by the legislature was unconstitutional, basing his opinion on a law passed in 1904, and it was declared unconstitutional I think in 1910 by the supreme court. We were rather well prepared for that, and we knocked his arguments to smithereens, and then subsequently the last order was passed and the mayor approved it. Then it came to a question of disposing of the bonds. Instead of carrying out the usual procedure of making out the bonds and offering them to the bond houses, and the bond houses then, of course, exercising their right to look up the legality of the issue, somebody put a flea in the city treasurer's ear that he ought to get the opinion of some Boston lawyers as to the constitutionality of it. This is the letter which was addressed to the city treasurer: "We have considered your question relating to the issue of bonds by your city under the Act of 1913, chapter 169, as amended by the Special Act of 1916, chapter 357. The statute provides that the city may, for the purpose of extending a certain highway, take certain specified land defined by the statute as being strips of certain specified depths on either side of the proposed highway. It then goes on to provide that the city may sell such part of the land so taken as is not needed for the highway. The question arises whether this statute which authorizes the city to take land outside of what it needs for a highway and to sell it is constitutional. The supreme court of the United States has said: 'It is fundamental in American jurisprudence that private property cannot be taken by the government, national or state, except for purposes which are of a public character, although such taking be accompanied by compensation to the owner. That principle, this court has said, grows out of essential nature of all free governments.' Any state enactment in violation of

these principles is inconsistent with the due process of law prescribed by the Fourteenth Amendment. In an opinion which the justices of the supreme court of the state gave to the House of Representatives in 1910, it was said that the taking of land was not justified unless the taking was for a public use, and that a taking of land adjoining a proposed highway so that it might be sold to individuals for commercial purposes would not be for a public use. Accordingly, if the land taken is not to be used for the highway or for some other public purpose, but is bought to be sold, the taking would seem to be for a private and not a public use, and so would be in violation of the constitution of the United States. The fact that the public may profit by the purchase and sale of the land does not make the taking a taking for a public use, and the right of the individual not to have his land taken from him seems to be protected by the federal constitution until the public wishes to put the land itself to a public use. We feel, therefore, that it is at least doubtful whether the statute authorizing your city to take and sell more land than it needs for the highway is constitutional. An amendment of the Massachusetts constitution recently adopted intended to authorize some such taking, but this cannot override a prohibition contained in the federal constitution. If the part of the statute which attempts to authorize the taking of more land than is necessary is void, we think that the rest of the statute must fall with it, and that it would be unsafe to act under that part of the statute which authorized the issue of bonds."

Now the purpose for which the city desires to take more land than is necessary for the street is what underlies the whole idea of excess condemnation. In the location where we wanted this extension, about two thirds of the improvement went through the center of certain tracts of land. That meant that we had what we would call slices of cheese on each side; that is, little remnants which were of themselves of no commercial value. However, in order to protect the future development of the street it would be necessary to have building plots on each side which would be available for purchase. Then, to further complicate the situation in Brockton, these little narrow pieces of land would come between the proposed street and part of a little private way. The fee belonged to the owner of the original tract, and left a very serious condition if we should open the street and take only the land for the street, for the reason that anyone going in there and taking a lot would have to deal with the owners of the fee in a private way, and then to get a sufficient depth would have to deal with the owner of land on the other side of the right of way. However, in spite of our attempt to do this and not to befog the public mind, they got this gratuitous opinion that it was unconstitutional. They tried to claim that it was unconstitutional under the Massachusetts provision, but I think the lawyer who advanced that argument was a little off. As matters now are, they are left dangling in the air. But we are

making use of what might be termed the "Four W's"; Woodrow Wilson's Watchful Waiting, and we think that about the beginning of next year when a new administration comes in we may be able to get some action started, and then get some of our citizens to enjoin that action, and then get it into the court and have the constitutionality of it decided once for all.

MALDEN, MASS.: HENRY CARMICHAEL

I did not expect to say a word and am not prepared, and am, therefore, obliged to say something as I go along. Malden, as you know, is a very old and conservative community: older as a city than the city of Boston, for the reason that when Blackstone was herding his cattle there it was a somewhat popular community. Now, the old conservatism enters into every project that is made for public improvement. It has never been a dream town. It has never been depressed in business matters. It has slowly pursued its way, receiving large contributions from the great nearby city of those who merely used Malden as a sleeping place, and a very attractive sleeping place it is, and it is right at the edge of Middlesex county and of great natural beauty.

We have a very enterprising board of trade, of which I have the good fortune to be a member, and as a director and vice-president I was requested to come here and listen, not expecting to say anything. But I might say I have the sympathy to a great degree of the men who represent the Malden planning board.

We have accomplished what to us amounts to a good deal through the last year and preceding years. We have located industries, the buildings of which represent half a million dollars. We have connected up our squares by cutting off the angles of intersecting streets. We have improved our highways. I remember years ago the question came up where a street could be found for seriously testing the springs of an automobile, and I expressed the opinion that we had a street that would smash most any automobile spring. The roads were so rutty and the holes were so deep that we could be pretty sure of breaking any spring. Now the road is as smooth as this floor.

There is a systematic plan of improvements. We are about to open a new road which will cut through the slums, and it is a part of a systematic planning for the city. We hope and believe there will be a score of new industries located in Malden within a short time.

I have been interested in learning if there was not a good way to provide residences for humble workers. I have yet to hear of a solution of this problem. How can there be a successful city plan without providing the men with homes; homes where they can rear their children under wholesome conditions at an expense of say eight dollars a month? The problem is easy enough in a suburban city if one will pay twenty or twenty-

one dollars, but when one gets down to eight dollars a month the problem is very serious. I would like to hear if there are delegates here from New Jersey or Pennsylvania who can tell us about how they can house the poor laborers in brick or concrete houses at an expense of eight or ten dollars per month; houses of six rooms and practically non-combustible. Of course, the individual house can be burned out, but when they are in blocks the destruction of one will not involve the others. About the great cities of Pennsylvania you see great areas covered with brick and concrete houses. Here in Malden we have to provide houses of wood, and all the conditions permitting general conflagrations like those of Chelsea and Salem and other places are present.

SALEM, MASS.: HARLAN P. KELSEY

In Salem, the city planning board drafted the first housing ordinance or code to be adopted by a Massachusetts city so far as I know. Recently we have successfully defended some of its provisions questioned by city authorities and others. It took several stiff fights but they are not going to mutilate it any more, and we are now on the upward trend for a better code.

We are redeeming Salem's waterfront and providing real thoroughfares. Work costing hundreds of thousands of dollars is going on to-day. Many of our plans, made before the fire, are now being carried out by the rebuilding commission, the county commissioners and the street department. The planning board is now working on more comprehensive plans, and is being consulted more and more by the city government and by the rebuilding commission; and all matters that properly should come before us are given a hearing. Salem has a live planning board.

We believe publicity is absolutely essential and so are carrying on a campaign of illustrated lectures in the grammar schools of the city; in the high and normal schools, and in nearly every church club in the city. Thus the young people are being educated so that in five or ten years when they grow up we are going to have a cinch on city planning in Salem. That is one of the most important rôles our city planning board should undertake—a campaign of education. We are working with the chamber of commerce and civics, a body which is backing up many of our projects. If you go through Salem next year you will not be stopped by a policeman and have to wait for twenty or thirty or more automobiles to get out of the way for the most important section of our magnificent "shore" boulevard through the city will be done. Our plans may be seen in nearly every room in Salem city hall and thus we are educating, unconsciously perhaps, not only the city government, but all citizens who go into the city hall.

THE METHODS OF FINANCING CITY PLANNING PROJECTS¹

BY NELSON P. LEWIS²

New York

IN CONSIDERING methods of financing city planning projects it is important that a clear idea be had as to what city planning projects mean. In discussing this subject the term will be broadly construed and will not be confined to the more spectacular plans, such as the creation of civic centers, the location of important public buildings, the development of a system of parks and parkways and the working out of a consistent scheme of restrictions as to the use of public and private property. City planning projects will be deemed to include the entire development and carrying out of the structural plan of a city; the location of transportation lines connecting the city with other parts of the country; provision for adequate terminal facilities for and connections between such lines; the determination of the main traffic arteries, so located as to permit the development of an economical scheme of main drainage and to afford direct, though not necessarily straight, lines of communication between different parts of the city and with the contiguous territory; the establishment of secondary lines of communication tributary to the main lines and reaching every portion of the city; the planning of residential areas in such a manner that natural features will not be destroyed, that needless expense for construction will be avoided, and that plots will be available, not only for ambitious homes with ample space, but for the more modest cottages, where the owner need not be obliged to purchase more than the necessary land or pay for the improvement of streets of a greater width than may be required to serve local needs. It will include provision for parks and playgrounds so located that they will be readily accessible, but will be so selected as to provide needed facilities for recreation with a minimum of expenditure of the public funds; the location of the chief and subordinate public buildings with due regard both for convenience and sightliness; an adequate system of transportation in the streets of the city which will insure rapid and comfortable movement between different sections of the city and will tend to distribute population and avoid congestion.

Before such comprehensive planning is undertaken there should be a well-defined policy as to the manner in which the execution of the plan is to be financed. Ambitious projects are frequently discussed, elaborate

¹ A paper presented at the meeting of the National Municipal League, Springfield, November 25, 1916.

² Chief engineer, New York bureau of public improvements.

plans are made, the drawings showing them are put on exhibition and admired, and those responsible for them are complimented until some taxpayer asks the pertinent question as to what it is going to cost and how the funds are to be provided. The enthusiasm which has been developed quickly subsides. The plans are laid aside and are soon forgotten, and in due course of time another group of citizens, realizing that the town is not as attractive and convenient as it should be, inaugurates another campaign for improvement, experts are called in, other studies are made, and finally the same question is asked with the same result. Should the taxpayers be willing to provide the necessary funds to carry out one or more of the projects included in a plan made in this way, it is often found that the city lacks the power to undertake such improvements, and legislation is required. The character of this legislation is likely to be the subject of much debate and, if its provisions are finally agreed upon and its enactment is secured, it is commonly found to be so specific in its provisions that it is not adapted to the carrying out of any other project than the one in mind at the time, if, indeed, it is not specifically limited to such project.

Comprehensive and simple statutory provisions under which the city or town may develop its plan are as essential as the plan itself and, while such statutes should so be drawn as to prevent reckless expenditure during a period of enthusiasm, they should allow as large a measure of home rule and local independence as may be consistent with protection of the municipality against its own folly or unwise enthusiasm. This is usually accomplished by prohibitions against the incurring of indebtedness in excess of a fixed percentage of the assessed value of taxable real estate, against a rate of taxation exceeding a certain percentage of such assessed values and against special assessments which shall be more than a certain proportion of the assessed or actual value of the property which may be assessed.

Improvements of the kind under consideration may be classified as those which are strictly local in their benefit,—and by the word “local” is meant those which are designed to serve the needs of the abutting property or that in the immediate neighborhood,—those which involve both local benefit and a certain degree of general benefit to the entire community and those which are almost wholly of general benefit, although they may result in an enhancement of values in the immediate vicinity, while it must be admitted that in some instances they may tend to depreciate local values.

In small towns the creation of a public square about which the business of the community will center will be an improvement of general public benefit and it may reasonably be contended that the town itself should meet the expense. The most valuable property will be that fronting upon or in the immediate vicinity of this public square, so that, if its creation

or improvement results in special benefit to the surrounding property, that property will bear a correspondingly larger part of the burden. As the town grows and as other main streets or other centers of activity are needed there will still be some general benefit, but a large degree of local benefit. The effect upon the property in their neighborhood will be proportionately greater and more exclusive than in the case of the first center or the one main street, but the entire community will still feel the benefit of the improvement and the town can still afford to contribute a substantial portion of the expense. As the city grows every improvement which may be undertaken will involve more local and less general benefit and the time will soon come when the city as a whole is slightly, if at all, benefited by the creation and improvement of a new street or even a new public place or small park. It will be necessary to determine in each of these cases how much of the cost which is involved shall be assessed upon the property directly benefited and what proportion, if any, shall be borne by the entire city. This will require the exercise of great discretion and impartial judgment and the apportionment of the expense should be determined in a consistent manner in each instance through some board or body having a continuing existence, the members having overlapping terms, in order that there may be continuity of policy and no radical changes from year to year. If it be granted that a portion of the cost of all improvements where local benefit is involved should be assessed upon the property which will enjoy this benefit, the question which next arises is how shall the city or town meet the proportion of the cost which may be assumed by it as representing a general or community benefit. The easiest way to provide these funds is by borrowing, and the longer the term for which a loan can be made the less will be the apparent burden upon the general taxpayer. "If the next generation is to enjoy the benefit of this improvement," it is frequently argued, "why not let the next generation pay for it? We, in our wisdom, have provided it for them and have thereby contributed our share." The longer the term of the loan the less will be the rate of interest and the annual provision for the amortization of the debt when it falls due. Let us see what this means. Fifty-year bonds will doubtless carry not more than 4 or $4\frac{1}{2}$ per cent interest. Their amortization on a 3 per cent basis will, according to generally accepted annuity tables, involve a yearly contribution of 0.89 per cent. This means that the community will ultimately pay for every \$1,000 of borrowed money the sum of \$2,695, or \$53.90 a year, in the case of $4\frac{1}{2}$ per cent bonds; or a total of \$2,445, or at the rate of \$48.90 a year in the case of 4 per cent bonds. If the term of the loan be reduced to 15 years, $4\frac{1}{2}$ per cent bonds, with provision for a sinking fund for their amortization, will involve the payment for each \$1,000 of \$1,482, or \$98.80 a year, while in case the loan is for the still briefer period of 10 years the public will pay for each \$1,000, \$1,322, or at the rate of \$132.20

a year. When an individual has not the cash and needs something he is often justified in borrowing the money to pay for it, but prudence would require that he see his way clear to pay off the debt within the life of the article he is to purchase. Inasmuch as the kind of improvements we are now discussing have an almost indefinite life, it may be argued that the payment of the debt can be indefinitely deferred. When, however, we consider the great number of enterprises which the modern city must undertake, the annual burden required to meet the city's obligations on long-term bonds and to maintain the city's credit will be cumulative and will in time become a very serious burden upon the taxpayers. New York city has been financing many great projects by the issue of 50-year bonds,—in some instances improvements such as pavement renewals, the life of which may be but 10 or 15 years, have been paid for in this way,—until the debt service, or the sums needed to meet interest and sinking funds, amounted to nearly 40 per cent of the annual tax budget. The city was finally obliged to adopt a pay-as-you-go policy. As by far the largest part of its bonded debt is in the form of long-term bonds issued within the last 15 years, the amount required for the debt service will decrease very slowly while the rate of taxation must increase as a result of the new policy. The people of New York have already become the posterity which it was thought should pay for the improvements they were to enjoy. Unfortunately many of those for which they are now paying have long ago disappeared, and in the case of street pavements several successive pavements on the same street have been worn out and replaced before they were paid for. A city's credit should be used sparingly and long-term bonds are justified only when the margin of borrowing capacity is ample, or to pay for improvements which may confidently be expected to become self-sustaining.

It has already been pointed out that, as a city increases in size, the creation and improvement of new streets, provision for adequate drainage, the establishment of parks and parkways and even the location and suitable grouping of public buildings will result in more local and less general benefit. Such local benefit may be considered exclusive with respect to streets of ordinary width and the sewers which will serve the abutting property. If a street be given a greater width than is required for strictly local use, the benefit will be extended, but can still be localized, while the cases are rare in which the benefit to the city-at-large will exceed that to the locality. The same is true with respect to small parks and even with respect to the location of public buildings, which are quite certain to encourage better development and enhance values in their immediate vicinity.

The fundamental principle which the writer desires to emphasize is that, wherever an improvement of any kind will result in local benefit, that fact should be recognized by the imposition of a fair proportion of the

cost upon the property so affected, and that the owners of such property should not be enriched at the expense of the entire community and through no act of theirs, unless it be the exercise of such influence as they may possess to induce the city authorities to locate a park or undertake some other improvement in their neighborhood at the public expense. If such a policy be adopted and adhered to consistently, it will enable many towns to undertake and finance what are commonly known as city planning projects which would have to be abandoned or indefinitely postponed, or which would be out of the question if their entire cost were to be met by the city-at-large either through an issue of bonds or by general taxation. Emphasis also should be placed upon the need of a definite policy in this respect before the planning of such improvements is undertaken, as such plans, their scope and scale, will inevitably be affected by the assurance that they can be financed. While this is a reversal of the usual order of procedure, it must be conceded that in public as well as in private business the end, or at least the way in which the end can be reached, should be in sight from the beginning.

THE COMMUNITY TRUST

BY HUGH JACKSON REBER

Chicago

THE community trust movement is significant because it indicates the awakening of thinking citizens to a realization of a great civic need existing to-day, the need for a machinery whereby endowment funds may be safeguarded and applied forever to the changing requirements of the public good. The two great aims of the community trust are these: first, to offer a certain and permanent means whereby the income of endowment funds may be directed to meet the most urgent needs of each generation, and, second, to increase the popularity of this form of charitable bequest so that the endowments may become an ever-growing factor for community improvement.

Especially significant is the belief that under existing conditions there is available for endowments only a small percentage of the money that might be expected if more attractive conditions were provided for prospective donors. The records of the past endowments are filled with examples showing that planning for a perpetual benefit is one of the most difficult tasks conceivable. Each generation has its own needs of varying importance, and each has its own method of meeting them. The methods and aims of one generation are almost certain to be more or less inapplicable to the requirements of succeeding generations, and more significant yet is the fact that each generation must distribute its own burden and plan for itself in order to secure co-ordination in community enterprises. There is no better example of the lack of and need for united planning than our past endowments, in witness whereof may be cited Philadelphia's alleged over-supply of hospitals. So it happens that the establishing of an endowment is generally attended with great difficulties, if not uncertainties, and that this form of giving is not in favor.

THE CLEVELAND TRUST

The origin of the new idea was in 1913 when Frederick H. Goff, president of the Cleveland trust company, proposed a plan whereby his trust company might agree to accept gifts to constitute a community foundation or trust, the income of which might be expended for the advancement of the social interests of the community in a manner to be determined each year by a representative committee. The proposal was at once received with hearty commendation by great numbers of public-spirited citizens, and on January 2, 1914, a formal resolution was passed by the company's board of directors, putting the plan in actual operation.

The first two years of the fund's existence have resulted in gifts and pledges amounting to more than \$30,000,000. Now in infancy this new institution promises to return more than a million dollars each year for community betterment. What this vast source of income will mean to a city of 600,000 inhabitants can scarcely be conceived. Even now the responsibilities of the committee in charge of disbursing the income are felt to be so great that a comprehensive survey of local conditions and needs is being undertaken. If confidence in the fund continues, it must eventually grow to many times its present size.

During the year 1914 no other community trusts were established, but in 1915 the success of the original plan became generally known and in six large cities of the country trust companies undertook to follow Cleveland's example. These cities are St. Louis, Spokane, Chicago, Milwaukee, Los Angeles, and Boston. In January, 1916, a somewhat altered form of foundation was established in Indianapolis. Community trusts are being considered in a number of other cities to-day.

As might be expected, the form of organization of the "Cleveland foundation" served as a model for most of the others; especially in St. Louis, Spokane, Chicago and Milwaukee. The Los Angeles and Indianapolis trusts include radically new features.

In the Cleveland plan the power to expend the income of the fund is vested in a committee of five, a member being appointed each year, to serve without compensation for five years. One member is appointed by the city's chief executive, one by the senior judge of the federal district court, one by the senior judge of the probate court, and two by the board of directors of the trust company. The committee's expenses are paid out of the fund, though its permanent secretary is selected by the trust company. The committee has no power over the management of the trust; it is responsible merely for disposing of the yearly net income reported to it by the trust company trustee.

It is provided that the principal may be expended to a limited extent only when the committee and the directors of the trust company agree. A two-thirds vote of the directors is necessary. Donations to the fund may or may not indicate a particular use to be made of the gift in question, but in any event the wishes of the donor may be set aside. In this matter also the directors must approve the action of the committee. A majority vote of the directors is required. The powers of the trust company as trustee of the foundation are very great. Unless limited by the terms of the donation, it may invest and reinvest as it sees fit and in any form of security, loan or real estate. In return for its services, it receives such compensation as it may for itself determine to be due. It is empowered also to list for taxation the amount of the foundation in spite of laws exempting such funds.

In case any essential part of the plan for expending the moneys of the foundation is set aside by action of the courts, the directors of the trust company are vested with the authority given the committee, or if the defect can be remedied, the directors shall reconstruct the organization so that it may as nearly as possible carry out the original intention. Provision is made for an annual audit and public statement of income and expenditures.

Almost all of the details and even the methods of expression of the Cleveland agreement are found in succeeding plans. Los Angeles was the first to introduce any strikingly original features. In this city the body having charge of the expenditures is a committee of five with a self-perpetuating membership. Two members must be members of the board of directors of the trust company. All five are originally selected by the trust company. The trust company retains the power also to alter at any time the form of organization in any manner that circumstances may seem to it to warrant so long as such changes do not interfere with the charitable purposes in view. As regards the powers of the company in its capacity of trustee, and in other less important features, the Los Angeles plan is similar to the others.

BOSTON'S PERMANENT CHARITY FUND

The next community trust to be established was in Boston; it is known as the "permanent charity fund." Here a committee of seven is provided instead of those of five members. It is essentially the Cleveland plan. The attorney-general of the state appoints one of the extra members and the trust company the other. The five year term is continued. No method of listing the fund for taxation is mentioned nor is there provision made for expending any part of the principal of the fund. The committee without the assent of the trust company may set aside special directions of donors as to how sums are to be spent, but such action requires affirmative vote of five members.

INDIANAPOLIS PLAN

The Indianapolis plan adopted January 5, 1916, is briefly set forth in a resolution passed by three trust companies. Each one agrees to accept donations for "the Indianapolis foundation." The donor may limit absolutely the uses for which his gift is to be used. The committee to which is given the power of making disbursements is composed of six members, two appointed by the chief executive of the city, two by the senior judge of the federal district court, and two by the senior judge of the court having jurisdiction over the settlement of estates. There is no provision for spending the principal other than that possible in the terms of gift. The funds cannot be listed for taxation if exempted by law. The powers of the trust companies are not enumerated and, there-

fore, are the usual legal powers granted to similar foundations, subject to the terms of the various gifts.

In coming to any conclusion as to the merits of the several community trusts which have been established thus far and as to the probable ultimate results, it must be borne in mind that only those forms of organization which forever retain the confidence and interest of the people can entirely succeed. Upon the confidence and interest of the public depends their support and, therefore, their ability to do good. The enormous resources which may be expected to accumulate if the funds succeed in establishing themselves as the final solution of the problem of endowments can be guessed from the success which has so far attended the "Cleveland foundation."

In this age of tremendous and ever increasing demands for civic work, the problem of financing the thousand and one community undertakings is a problem of far greater significance than it has ever been before. It calls for the best genius and most determined effort that can be summoned for the public welfare. Waste and indifference can no longer be tolerated. Every available source of revenue must be wisely drawn upon, and expenditures must be so planned that the existing needs may be cared for in proportion to the urgency of each. Not only have community activities increased in number and volume, but they have become more and more necessary to society. This is especially true in cities.

If the problem of endowments can be successfully solved, it will tend to relieve each generation of the strain placed upon it, and it will make possible additional public service. The endowment represents social saving, the production and setting aside of capital for the benefit of all. Its accumulation, spread perhaps over a great period of years, is a burden to no one.

OBJECTIONS TO CLEVELAND PLAN

It is a regrettable fact that in planning the community trust in Cleveland more care was taken to safeguard the interests of the trust company than those of the people. This was due not so much to the lack of perception of the founder and his colleagues, as to the newness of the idea and the natural caution with which the matter was approached.

The fundamental objection to the Cleveland plan is that it fails to provide for complete community control and, therefore, fails to establish the trust fully as a community foundation. Most noticeable is the appointment of two of the five members of the committee by the company. This arrangement is specially objectionable because there is only one trust company concerned, instead of being a joint proposition of all trust companies. In a number of other particulars the directors of the company under the Cleveland plan indicate an unwillingness to leave the control of expenditures to community appointees, and in the handling

of the principal of the fund, the interest of the public is in no way represented.

It is upon its claim for recognition as a community institution that the "Cleveland foundation" relies for special support and public interest of a sort that must be its best insurance of success. But under the present plan there are decided limitations upon the public nature of the trust and there is no guarantee that other foundations equally or more public in control might not arise to compete with the original fund for public attention. As a private or semi-public fund there is much that is admirable in the Cleveland organization, but as a public trust in its present form it is most uncertain to succeed so long as it is not firmly established as the single community institution with unified public control.

In Indianapolis the control over the fund so far as spending the income is concerned is wholly in the hands of men indirectly representative of the people, and the claim to community recognition can hardly be denied. But the basis of representation in Indianapolis and that employed for three members of the committee under the Cleveland plan is by no means perfect. In the Indianapolis scheme the method of appointing the committee seems to offer the greatest opportunity for criticism.

The theory that judges are particularly well fitted to select members of such a committee is based upon a too limited consideration of existing conditions. It is unwise in the first place to give important duties of a non-judicial nature to a judge. There are obvious reasons for this time-honored notion: first, a judge's fitness should be decided purely upon his record on the bench; second, the dignity of the court should not be jeopardized by unnecessary connections with affairs in which factional disputes may arise; and there are doubtless other good reasons. On the other hand, the cautiously selected nominees of the judges are not necessarily well qualified for active leadership. Experience has sufficiently established this fact at least with regard to appointments where professional excellence is not the criterion.

The mayor is much better qualified as an appointing officer. Through him is obtained consideration for the various elements in the community which might desire representation, and thus to a limited extent the advantages of diversity in point of view are obtained in the composition of the committee.

COMMUNITY CONTROL

It is certainly to be desired that the community trust may make its appeal for support to all classes alike. Failure to do so means a loss both in ability to accumulate funds and in ability to employ most effectively the yearly income. That the value of widespread community encouragement and co-operation was well recognized by the founders of the trusts

is indicated to a greater or less degree by the forms of organization adopted and by the declarations made regarding the functions of the new institutions. It is doubtful, however, whether the form of control in any city does adequately carry out the intentions of the founders in this regard.

To carry out these intentions, the advantages of a diverse representation for the controlling body must be secured, or, if the present attempt to have purely general representation is continued, wider and more comprehensive points of view of the appointing officers are desirable. This is true primarily because purely general representation is impossible.

Other questions of organization might be raised upon the more or less satisfactory solution of all of which the success of the community trusts depends. For example, it seems doubtful whether the general representation aimed at should not be given up in favor of frankly special representation of the fields of social work. This and the present principle might possibly be combined to advantage. Again, serious doubt may be felt as to the adequacy of a board of control of five where the responsibility is so great and the field so wide. These and other similar matters deserve most careful consideration.

Of the questions which have been raised, the most vital are those concerning conditions which directly affect the status of the funds, either by tending to establish them on no higher plane than other similar quasi-public funds in the city or by tending to elevate each to the unique position of being its community's one public endowment institution. The community trust should occupy a more definite place in the machinery employed in civic work and should have a stronger and more certain support and co-operation from the other forces in the community than could any private organization. It should, in fact, mean a great stride toward united planning and co-operative action in social welfare enterprises, and so by virtue of its widely recognized worth may be expected to develop the latent possibilities of endowments viewed as a form of donation.

Present defects notwithstanding, the outlook for the community trusts is bright. Their existence promises their continuation and perfection in a form that will make possible their fullest community usefulness. This is true because only by satisfying the demands of each generation can any such fund keep the confidence of those who are in a position to contribute and to aid or to hinder its growth. Defective organizations will be set aside or, more probably, changed, and it is reasonable to assume that the best features will be retained and developed.

PROGRESS OF THE ANTI-NOISE MOVEMENT¹

BY ELMER S. BATTERSON²

Chicago

IT MAY appear contradictory to speak of progress in the anti-noise movement when a general consensus of opinion would be that our cities are constantly growing more noisy. Could a Rip Van Winkle, who wandered to the hills twenty years ago, return to-day to one of our American cities, he would certainly find much more noise disturbance than when he left, but it must be remembered that noise has usually been regarded as a necessary accompaniment of general progress and the increase in noise has come principally with the introduction of improvements which were unknown twenty years ago.

Up to the present time, the number of active workers in the crusade against useless noise has been very small and much of the work in this line has been unostentatiously done by individuals after being driven almost to distraction by some particular disturbance. This was true in New York city where the almost continuous shrieking of boat whistles prompted a public-spirited woman to organize a united protest which later resulted in some important advances in the crusade against noise. As a phase of community betterment, civic workers have had too small an appreciation of the noise evil and they have not regarded the subject with the seriousness which it deserves. Within the past two years have appeared several books dealing with the advance of civic improvement in American cities and in these not even one page has been devoted to the noise problem. A recently published bibliography relating to works on municipal government does not list noise as one of the subjects of municipal concern. In the public libraries of several of the larger American cities, a search has failed to find any index classifying noise in its relationship to public comfort.

In a number of respects, a comparison with the smoke problem is interesting. A few years ago, smoke and noise were regarded in a very similar way. Both appeared to be necessary accompaniments of "big industry" and improved transportation, but science has shown that smoke may be practically eliminated from our cities without retarding industrial

¹ For further discussion of the question of noise, see the following articles: *Quiet Zones near Hospitals*, vol. ii, p. 519; *Baltimore's Anti-Noise Crusade*, William T. Watson, vol. iii, p. 585; *Public Health vs. The Noise Nuisance*, Imogen B. Oakley, vol. iv, p. 231.

² Member of the committee on the noise nuisance of the American Civic Association.

progress and civic workers have been quick to follow up the suggestions with demands for legislation to reduce the smoke nuisance. Both smoke and noise, some time ago, seemed to offer problems too indefinite for solution by the setting of standards for measuring the extent of the evil, but now smoke is easily measured both as to density and volume, and statistical charts are prepared showing the destructive possibilities of smoke under various conditions. With each advance in the anti-smoke crusade, the noise problem has received but scant attention. It has been recognized that noise is an evidence of industrial inefficiency, but still noise has appeared to be necessary in making advancement in other directions. As to measurement of noise disturbance and the establishment of standards to show what degrees of noise are and are not endurable, the anti-noise movement can show no advance. Sound of a simple nature, such as a musical tone, can be measured, compared and graphically represented, but noise, being a confusion of sounds, not only has no instrument of measurement, but it is even without a satisfactory definition. The sweetest musical tone, if repeated too often or inharmoniously combined with some other tone, may be as objectionable as the most rasping of sounds.

In the common law, noise has never been regarded as a public nuisance. A man suffering from a serious noise disturbance made by another has always had legal recourse in upholding his right of personal comfort and the undisturbed use of his property, but it is only in recent years that one was considered capable of offending a whole community by his noise disturbance. Noise is now regarded as a subject of legislation in dealing with public nuisances and each year finds additions to the forms of noise which are classed among public offences.

Fifty years ago, there were probably no anti-noise ordinances except under the general classification of disturbing the peace; now nearly every American city attempts some regulation of noise considered as a public nuisance. Results are secured in a number of ways. New York city gives to its health department wide discretion in determining what shall be considered a noise disturbance. Chicago has an anti-noise sub-committee as part of the city council health committee. Baltimore has taken the radical step of delegating a special policeman to give his entire time to the proper enforcement of the anti-noise ordinances. Most of the other cities have ordinances specifically forbidding certain kinds of noise and enforcement is intrusted to the regular police.

The medical profession has always regarded noise as a cause of neurasthenia and as a contributing factor in other ailments, but only recently have the learned societies recognized noise as an important part of the problems related to public health. There is evidence of advance along this line in the prominence given to the subject in the last American meeting of the International Congress on Hygiene and Demography. At this gathering, specialists of international reputation read papers showing that

noise is a public menace and urging that men of science give more study and investigation to the part which noise plays in reducing human efficiency in all large cities. In cases of sickness, the doctors advise that the patient be kept as quiet as possible or insist on absolute quiet and, if this cannot be secured at home or at a hospital, the patient is possibly taken away to more peaceful surroundings. Physicians are now coming to realize that the problem of rest and quiet for the sick is really a public one and that the proper regulation of noise can assist greatly in keeping people well in addition to helping the sick to recover. It has been largely through the efforts of physicians that "zones of quiet" have been established in the vicinity of hospitals in many cities. Within these zones, which usually include territory of 200 feet radius measured from the hospital grounds, all loud noises are absolutely forbidden.

Had the noise question been given consideration twenty years ago, steam whistles of railroads and factories would have been classed as the greatest disturbers. The changes which have occurred have resulted, in almost every case, in the reduction of this form of annoyance so that now in some cities all blowing of steam whistles is prohibited within the city limits. The introduction of modern means of signalling and switching in the railway yards and the gradual elimination of the grade crossing are operating to make the noise of the railroads of less importance than some of their other disturbances. In most cities, the whistle of the locomotive is forbidden except in case of emergency. In some instances the ringing of a bell has been substituted, but this form of annoyance is growing less. At the present time, most noise complaints against the steam railroads refer to the noisy switching of cars during the night hours. Much of this disturbance is the result of mere carelessness on the part of the employes and relief is usually secured when complaints are lodged with the proper authorities.

For the din of steam whistles of factories, which a few years ago was so common, there appears now to be no real excuse. Most of the American cities have ordinances along this line. This elimination is being accomplished as much through appeals to common sense as through legal restrictions. With all kinds of time-pieces available for convenient reference, it appears ridiculous to continue a practice which, for the doubtful convenience of comparatively few people, disturbs everybody in a whole district or a city. As all logical argument appears to be on the side of those who are striving for quieter cities, it will doubtless not be long before every American city will be entirely free from this form of disturbance which is not only annoying to all, but which also occurs at hours when many people require sleep. As a signal for the closing of factories, a simple gong system is supplanting the whistle in most establishments and is found to be fully as satisfactory.

Of all city problems, none presents more puzzling phases than intra-urban transportation. We want the facilities which modern means of transportation furnish but we want none of the accompanying inconveniences. For example, we desire surface cars of greater capacity and elevated trains operating nearer to our homes, but we detest the noise which they produce. The tinkling bell of the horse street car was not altogether pleasant but was very gentle compared with the grinding and rattling noises which came with the cable car. Then came the trolley with gradually heavier cars and the more insistent gongs. Fortunately for the public, as the cars have become ponderous, the tracks have been made smoother, made possible through electric welding of rails and more secure foundations for the roadbeds. In the larger cities where there are many street railway crossings, the rattle of cars, in passing over cross lines, creates serious disturbance, but it is encouraging to note a number of suggestions by engineers which may soon reduce the noise from this source.

Scientific men are also proposing means of relief from the disturbance caused by the jarring of the heavy cars. One suggestion has to do with a new form of car wheel whereby the jarring of the mechanism will, it is thought, be largely absorbed within the wheel rather than, as now, transmitted to the track and pavement. A seemingly less reasonable suggestion applies to a composition coating for the metal rail to serve as a cushion between car and rail. Doubtless much of the disturbance caused by surface cars could be greatly reduced by more attention being given to lubrication both of the machine parts and of the rails at the sharp curves. Recent experiments along this line by street railway companies have brought good results. In elevated roads are to be found most of the noise problems of the surface lines, together with special problems relating to an elevated metallic structure. Often, the noise created by the elevated trains causes little disturbance to the passengers, but, transmitted to the structure, the noise is thrown into the air with a roar which is extremely annoying to all compelled to live near the tracks. Many experiments for the solution of this difficulty are being made and engineers are suggesting possible remedies. The plans proposed contemplate changes in ways of laying the rails, new arrangement of cross-ties, and a form of structure so designed that the sound will be carried longitudinally along the track instead of being thrown outward. Doubtless science will be of much assistance in reducing the noise incidental to all city rail lines, within the next few years.

When the automobile first appeared upon city streets it was a very noisy machine. As each improvement has been added, engineers have taken care that the noise of the machinery should not be increased, for people demanded a quiet car. Upon most automobiles of late model it may be said that we now have a practically noiseless motor when properly operated. Were the automobile run on an unobstructed road, we could

safely say that it brought with it no serious noise problems, but, because of the silent operation of the machinery and the necessity of being operated over a public highway, some kind of warning signal has been considered necessary and now to announce the coming of a noiseless mechanism we sound the most raucous of noisy alarm signals. The noise problem of the auto-horn is a very serious one. Each motorist feels that he is entitled, as much as anyone else, to a clear path so he sounds the sharp blasts of his horn to announce his coming and to warn all persons to get out of the way. When he wishes to attain high speed, whether within legal limits or not, he finds the auto-horn gives him the privilege. While the law may specify that the motorist must slow up at crossings, yet he finds that he can easily disregard such regulations if his horn is in good order. Nearly all cities forbid all kinds of unnecessary noise, but few people think of the illegal part of auto-horn blowing. We invite a friend to take an automobile ride with us and use a dozen blasts of the horn to announce our arrival without considering that the entire neighborhood is being disturbed.

Many cities forbid the use of the muffler cut-out and a few cities go so far as to specify that the cut-out device must not be within reach of the driver when the car is in motion, but everywhere we hear the disturbing noise of the engine's exhaust. Although science has shown that the supposed power advantages of the cut-out are largely imaginary, yet there are enough motor drivers who, for the sake of attracting attention to themselves or to their cars, sound blasts like those of a locomotive in otherwise quiet neighborhoods. Legal restrictions have kept fair pace with progress in automobile building, and it is more a matter of law enforcement than of more legislation.

Most automobile drivers are noise offenders in some way. In many cases it is mere thoughtlessness; in some, a reckless disregard for law and order; and in others a misunderstanding of the law relating to the rights of others. When bicycles first appeared on the market, cyclists were required to equip their wheels with bells, but the misuse of these signals soon became so general that many cities then passed ordinances prohibiting their use. A step which may soon be expected in the problem of the auto-horn is some kind of limitation on its disturbing possibilities and doubtless some forms of signals now in use will be absolutely prohibited. Fortunately for public nerves, one of the most exasperating forms of automobile signals, the siren horn, has been reserved by most cities for the exclusive use of the municipality on fire trucks and for other emergency purposes.

It is a regrettable fact that while many agencies are contributing to the reduction of city noises, one of the most grievous offenders of the public peace is the municipality itself. In contracting for paving, the council committee apparently considers every other feature relating to the kind of

pavement under discussion except that of noise. When a noiseless pavement is decided upon, it is probably on account of its suitability from a traffic standpoint only. If it were otherwise, we would expect to see the elimination of all granite block paving in the vicinity of all large buildings where many people are employed. It is reasonable to think that in the near future, when the anti-noise crusade has had more attention, there will be embodied, in specifications for paving, some provision placing a limit upon the noise-producing possibilities of the materials used. The increasing use of asphalt for boulevards and creosoted wood blocks for traffic streets is a hopeful sign in the campaign for more quiet streets.

In granting permits to erect large buildings, the municipality allows almost any kind of construction machinery to be used as long as the streets are not seriously blockaded. As to the discomfort which the machines may cause to people compelled to be near them, the city does not often concern itself. This applies particularly to the steel riveter used in the construction of "sky-scraper" buildings. With this machine operating on a steel frame, serving as an immense sounding board, the air is rent for a distance of several blocks by the very irritating noise. It has been found possible to muffle the sound of the riveter in much the same way that a gun or automobile engine is muffled, but until municipalities place some noise limitation upon construction operations, such improvements will doubtless not soon come into general use. There is a good field for investigation and action along this line.

The city, in attempting to preserve order in the use of the busy streets, places a traffic policeman at the street corner armed with a little instrument which of itself is a great disturber of the public peace. The shrill whistle of the policeman is purposely blown loudly enough to be plainly heard above the roar of the passing vehicles and, while the traffic is guided thereby, thousands of office employes are at the same time seriously disturbed in their work. It is gratifying to note that a number of cities are experimenting in the use of semaphores and other systems of street signals in which the traffic is guided by use of eyesight rather than by employing an objectionable noise.

Mention has been made of only a few of the many noise disturbances which are receiving attention in our cities. The annoyances in the downtown districts, upon which cities are attempting regulation, include the noisy transportation of metal through the streets, the use of a loud voice or a disturbing instrument in advertising wares and the operation of noisy pleasure devices. The disturbances in the residence districts, upon which restriction is attempted, include the playing of musical instruments on the street, the calling of wares by hucksters and the noise made by dogs and roosters. In a very few cases there has been some regulation of the ringing of church bells.

What hope is there that the American city, twenty years from now, will be less noisy than it is to-day? In answer it must be said that public opinion concerning the seriousness of noise as a public nuisance will be one of the deciding factors. As soon as we come to regard noise as offering a problem measuring in importance with other menaces to public health and public comfort, we may expect many changes leading toward a more peaceful city. As long as we look with horror upon the violator of the anti-spitting ordinance and, at the same time, willfully disturb a whole neighborhood with an unnecessary blast of the auto-horn, our sense of discrimination is yet too crude to offer hope of much improvement in the reduction of city noise. Doubtless some standards relating to city noise must soon be established. We have censors to pass upon many kinds of city activities and it appears reasonable that there should be some noise tests applied to sound-making instruments, to pavements and to means of gaining publicity. At present, there is no national organization dealing exclusively with the noise problem, but the American Civic Association is active in the work with its committee on noise nuisances. In each of the larger cities, some anti-noise agitation is in progress and some results are being obtained. Philadelphia has recently set a good example by inaugurating a "soft pedal week." The anti-noise movement opens up a very large field of usefulness in civic endeavor. The need of action is very apparent and it may be expected that the crusade for quieter cities will be greatly strengthened within the next few years.

RECENT PUBLIC HEALTH REPORTS

BY A. W. HEDRICH¹

Boston, Mass.

I. RELATIVE VALUES IN PUBLIC HEALTH WORK

PUBLIC health is a new science. The causes of infectious diseases and the mode of spread have been discovered in the very recent past; in some instances they are not understood to-day. Even among the medical profession, the notions regarding disease prevention are often vague, and indeed sometimes quite erroneous. It is therefore not surprising to find that the public demands in the name of public health the performance of many duties that have no more influence in reducing disease than the old tom-tom method of driving out the demons of disease, as practised by the medicine man of old.

In this connection, Dr. Charles V. Chapin, superintendent of health of Providence, R. I., whose labors in the field of public health date back to the early days of the modern era of health administration, has the following to say in his 1915 annual report:²

"When I was elected superintendent of health in 1884 it was considered that most of the energy of the health department should be devoted to the abatement of nuisances and the promotion of general municipal sanitation. This was just what was done in most cities. It was believed that germs bred in dirt and that filth was the chief cause of disease. Bad odors were thought deadly and a whiff of sewer gas fatal. It was the business of the health department to sweep the streets, cart off garbage, clean up cellars, whitewash tenements, bury dead animals and stop bad odors. The inspector of nuisances was in those days the whole of most health departments. This belief in the efficacy of municipal house cleaning to 'stamp out' disease was not even then the teaching of science. There had been before the eighties of the last century few men of science engaged in public health studies and these did not teach the filth theory of disease. This theory and the sanitary practice based on it were due to propaganda by enthusiastic reformers to whose esthetic sense the campaign for cleanliness appealed. It was not based on painstaking study."

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² The reports referred to in this review are in most instances for 1915, and include those of the following cities: New York, Boston, Jacksonville, Montclair and East Orange (N. J.), Richmond (Va.), Newburgh (N. Y.), York (Me.), Rochester, Providence, Wellesley (Mass.), Cincinnati, Chicago, LaSalle (Ill.), East Chicago (Ind.), Minneapolis, Indianapolis, San Francisco, Palo Alto (Cal.), and Seattle.

The public health activities which Chapin³ finds most productive of results are control of communicable diseases, infant hygiene nursing, and educational nursing for cases of tuberculosis. After these he places medical school inspection, supervision of milk and, last of all, general sanitation. He recognizes that public comfort and decency require that cities pay attention to back yards, alleys, garbage, and the like, "nevertheless, town and city councils have no right to spend money for these things and then claim that there is nothing left with which to save the lives of babies or ferret out incipient tuberculosis, or supervise the milk supply."

In a valuable contribution to public health literature, Schneider⁴ of the Russell Sage foundation carries Chapin's views a point further by calculating relative values for the various public health activities. He first analyzes the causes of preventable deaths from the standpoint of the damage done, preventability, cost of preventive work, and communicability of the disease to others. With the results of this analysis as a basis, he arrives at a set of values which indicate roughly the relative importance of each of the commoner branches of public health work. These "final values" are given herewith:

Control of communicable diseases:	
Tuberculosis	12.1
Venereal diseases	6.6
All others	25.3
Infant hygiene	20.3
Privy and well sanitation	3.5
Milk control	2.7
Fly and mosquito suppression	2.4
Food sanitation	0.1
Inspection of school children ⁵	7.0
Vital statistics ⁵	5.0
Education ⁵	5.0
Dispensary and clinics ⁵	5.0
Laboratory ⁵	5.0
Total	100.0

It is interesting to note that, in Schneider's opinion, the control of communicable diseases and infant hygiene work might profitably constitute two thirds of the activities of the health department.

It is understood, of course, that the proportionate expenditures must vary from city to city. Southern municipalities must spend more on mosquito, hookworm and pellagra propaganda than northern municipali-

³ Chapin, C. V.: "Effective Lines of Health Work," *The Providence Medical Journal*, January, 1916.

⁴ Schneider, Franz, Jr.: "Relative Values in Public Health Work," *American Journal of Public Health*, VI, 9, September, 1916.

⁵ This value is arbitrarily assigned.

ties; likewise, New Orleans and San Francisco should naturally spend more for plague prevention than inland cities. Making allowances for local requirements, such as the foregoing, it is, nevertheless, evident upon analysis of expenditures along the lines suggested by Schneider, that in many health departments there is an utter lack of proportion in the distribution of funds. In general, food inspection and general sanitation (especially nuisance inspection) are over-inflated at the expense of communicable disease and infant hygiene work.

II. RECENT TENDENCIES IN PUBLIC HEALTH WORK

The dominant note in the new public health is that *things* do not spread disease as much as *persons*. Progressive health officers are therefore turning away from ash cans, back yards, garbage, bad odors and the like, and are devoting more attention to the careless consumptive, the diphtheria and typhoid carrier, and the ignorant mother who feeds her baby anything from beer to garlic sausage. Thus we find Doctor Terry, late of the health department of Jacksonville, Florida, suggesting in his report that six sanitary inspectors be dropped from the pay-roll, and public health nurses substituted.

Another straw in the same current is the abandoning of fumigation after scarlet fever, measles and diphtheria. Providence, New York, Rochester and other cities have experimented and found that the incidence of these diseases was no higher in districts where fumigation was omitted, than in the rest of the city. As a consequence, the money that was formerly spent for smoking up harmless chairs, tables, carpets and walls, ranging from \$1 to \$3 or more per case, is now spent for better supervision and "concurrent disinfection," that is, disinfection of infectious discharges during the course of the disease.

Of late, a number of health departments have begun to attack the venereal disease problem. Among the first, if not the first of cities to enter this field, was New York. In order to combat the evil influence of quacks, notices are inserted in newspapers, and distributed in toilet rooms of saloons, lodging houses, large industrial establishments and other public places. The notices bear the information that the department of health maintains a list of reputable practitioners, dispensaries and hospitals, and that the department is prepared to make free diagnoses. Rochester, and doubtless other cities, also goes to the extent of making diagnoses, but Buffalo, Newark, and the co-operative clinic of the Oranges in New Jersey go as far as to give free treatment.

The barrier of false modesty is very properly being broken down. While statistics are largely guess-work, it is estimated by high authorities that at least 50 per cent of all adult males are at some time or other infected with gonorrhea, and about 10 per cent with syphilis. A tragedy lies in the fact that many cases are innocently contracted, especially among

females and young children. Is it not time, therefore, that we cease considering this problem from the purely moral side, regard it as a public health menace as well, and undertake to protect the nation?

Leaving the foregoing problem, we pass on to the interesting community tuberculosis experiment at Framingham, Mass. The Metropolitan Life Insurance Company has donated \$100,000 for the purpose of conducting a campaign to exterminate tuberculosis in a single city, the experiment to last three years. The work is being carried out under the auspices of the National Association for the Study and Prevention of Tuberculosis, Dr. Donald B. Armstrong being in charge of field operations. The purpose of the experiment is to demonstrate to what extent communities can eradicate tuberculosis by means of a thoroughgoing campaign, to determine the best means to be employed, and finally to awaken the country at large to its responsibility regarding this disease.

III. THE TRAINED HEALTH OFFICER

Upon looking over the reports of cities under 250,000, one is impressed with the number of non-medical men of special training, who are giving excellent service as health officers. Before me are the excellent reports of Montclair, and the Oranges in New Jersey, Palo Alto, Cal., and Dallas, Texas, whose health officers belong to this class. In each case, the administration is unusually efficient.

The chief reason for the present inefficiency of municipal health departments has been the lack of trained, full-time health officers. Usually a practising physician is appointed who lacks much of the necessary knowledge, and can not afford to give sufficient time to the office. In this connection, Preeble of the United States Public Health Service⁶ says: "He [the health officer] need not necessarily be a physician, but he should have either thorough experience or previous training, and a good working knowledge of sanitary principles and practice."

There is no good reason why surgery, obstetrics and similar studies should be essential to efficient health administration, but on the other hand, such subjects as epidemiology, housing, water supply, and vital statistics are very necessary.

That public health is a distinct profession is shown by the fact that no less than ten medical schools now give degrees for advanced study in this subject.⁷

⁶ Preeble, Paul: "Public Health Administration," *Public Health Reports*, March 2, 1917.

⁷ Universities of California, Colorado, Michigan, Pennsylvania, Wisconsin; Tulane, Harvard, Detroit Coll. of M. and S., Univ. and Bellevue Med. Coll. (N. Y.), and Harvard Univ. and Mass. Inst. of Tech. School for Health Officers. The following have announced courses to be given in the future: Johns Hopkins, Yale and Ohio State Univ.

IV. HEALTH ADMINISTRATION UNITS

In health, as in other administration, efficiency depends somewhat upon the size of the organization. Too small a body is likely to be inefficient and wasteful through lack of specialized workers and because of the performance of low-priced work by high-priced help. Likewise, difficulties beset the large, unwieldy organization.

Co-operative health work between smaller cities, and the splitting up of the large city health departments are efforts to remedy these difficulties.

"The local health office in the smaller communities is the most essential and the least efficient part of the present-day public health machine," says Earle B. Phelps, of the hygiene laboratory, U. S. Public Health Service. It is only in the wealthiest of the small towns that we find health administration that is even reasonably satisfactory. In some states, an effort has been made to meet this difficulty by placing the county health officer in charge of the smaller cities, and another scheme that is worthy of attention is that of combining the functions of adjacent towns under a single health officer.

In 1913, at the suggestion of Prof. W. T. Sedgwick, an experiment was made to determine the cost and general practicability of such work, as well as the relative importance of the major lines of health work. Prof. E. B. Phelps,⁸ who acted as executive officer, made a contract with Wellesley, Mass., and each of five neighboring towns, whereby he was to administer contagious disease control, milk inspection, fly and mosquito work, plumbing inspection and laboratory service. An organization comprising a health officer, a bacteriologist and secretary, a sanitary and plumbing inspector, a field assistant and two clerks served a population of 32,650 during one year at a cost of \$7,603.50. The per capita cost, exclusive of plumbing inspection, was 19 cents per annum.

Professor Phelps concludes that a population of about 60,000 would develop each of the various subdivisions of the work to the point of maximum efficiency, and could include the services of two district nurses and veterinary advisory services at a per capita cost of one-half the average cost of health work in the large cities of the United States. That the experiment was a success is shown by the fact that the work is now upon a permanent basis.

Similar co-operation exists between the five Orange municipalities in New Jersey, with relation to milk supply, tuberculosis nursing, and a venereal disease clinic.

The work of the hygienic institute of LaSalle, Peru, and Oglesby, Ill., is unique in that the expenses (\$16,350 in 1915-16) are contributed by a

⁸ E. B. Phelps: "Co-operative Health Administration," *United States Public Health Reports*, Sept. 25, 1914.

generous citizen, Mr. F. W. Matthiessen. The report does not state the total population served, but the per capita cost is about 50 cents.

In spite of the many advantages of co-operative health administration, but few communities have adopted the idea. Rivalry and jealousy seem to be the chief obstacles. With the object of encouraging the union of smaller health offices in Massachusetts, Prof. W. T. Sedgwick, of the state board of health, in February, 1916, introduced a bill into the Massachusetts legislature to grant to co-operating towns totaling 10,000 population, a state subsidy equivalent to one-third the salary of the health officer. Unfortunately, the bill was not passed.

When we come to large cities we find a tendency to split the health department up into a number of smaller offices. New York city on January 1, 1915, opened an experimental health district in the East Side, the district covering 21 square blocks with a population of about 30,000, practically all Russian and Austrian Hebrews. The following activities were combined under the direction of a local health officer: child hygiene, communicable disease, medical school inspection, milk stations, and conferences with food handlers, janitors, boys' health leagues, and other organizations. The volume of work was increased by co-operation with the district police station, whereby the police officers acted as sanitary inspectors for their respective beats.

A striking increase in efficiency is reported as due to the combination of functions performed by the individual workers, thereby shortening trips and avoiding duplication. The nurses, for instance, familiarized themselves with the needs of the entire family, and it is reported that the remarkable number of visits of seven per hour per nurse was averaged.

The plan seems especially well adapted to districts which have problems peculiar to the locality. The health officer and his staff acquire an intimate knowledge of the health district comparable with that of the settlement worker which could not possibly be gained by an executive at the city hall, or by workers assigned to large districts.

V. THE SUCCESS OF HEALTH REPORTS

A great many health reports are not very useful. They are so technical and dry as to be of little interest to the general reader, and so inaccurate and incomplete in essentials as to be of little value to the student of public health matters.

A health report, it would seem, ought to accomplish the following things:

First, it should justify the existence of the health department and the expense incident thereto, by giving an account of its work, the cost, the results, and other information necessary to a judgment of efficiency.

Second, it should outline the public health problems of the community, and the plans and needs of the department to meet these conditions.

Incidentally, it may add a limited amount of technical information, such as may be of value to vital statisticians and other health and social workers. However, if a report is to be a mere repository for statistics, it is likely to fail of its purpose as an annual report.

Now, it is not to be expected that a municipal health report be quite as entertaining as a trip to the movies; but, on the other hand, it is reasonable to ask that a report state its message so that the reader for whom it is intended may understand, and further, that it be attractive enough to invite inspection.

Many a report loses its chance to be examined at the outset by coming clad in a dull, sickly-looking cover. Again, it is frequently too voluminous. I have a bulky report of the departments of a Massachusetts city in mind in which nearly two pages are devoted to the dates of town meeting since 1881, and many additional pages are wasted in giving the names and vital statistics regarding each individual dying during the year. An Indiana city issues a report of which neither the cover nor the title page gives the name of the city.

One of the most important parts of a report is an intelligible financial statement; for probably no other single page will give such important clues to the efficiency of the department. And yet, it is quite the exception to find a clear, logical statement of expenditures. Each activity should be treated as a unit in such a statement, in order to show whether it is absorbing a share of the appropriation proportionate to its importance.⁹ In other words, instead of salaries, rent, printing, etc., the main heads should be administration, infant hygiene, tuberculosis, nuisance abatement, etc.

Especial care should be used to distinguish between expenditures that have a direct bearing on public health, and those in which the relation is remote or negligible. For example, privy abatement has a direct relation to disease prevention, since privies pollute wells and enable flies to carry the germs of intestinal disease to our food. Plumbing inspection, on the other hand, has only a remote relation to health, being conducive mainly to comfort and decency. Hence, it should not be charged to health promotion.

Because of the varying methods of stating expenditures, it is possible to compare these only in a small proportion of health reports.¹⁰ It can

⁹ G. L. Powers: "Uniform Accounts in Health Administration," Census Bureau, 1912. Report of Commission on Uniform Health Reports, *American Journal of Public Health*, V. 3, 6, June, 1913.

¹⁰ Following are the per capita expenditures during 1915 for health purposes in certain cities: Boston, \$.65; New York, \$.59; Palo Alto, Cal., \$.58; Jacksonville, Fla., \$.52; Montclair, N. J., \$.51; LaSalle, Ill., about \$.50; Rochester, \$.39; Wellesley, Mass., \$.38; Richmond, Va., \$.33; Providence, \$.30; Cincinnati, \$.25; Indianapolis, \$.23; East Orange, N. J., \$.23; East Chicago, Ind., \$.11.

not be too strongly urged that health officers follow the recommendations of the American Public Health Association in this matter.

As to attractiveness, readability and general appeal, one of the best reports recently issued is that of Richmond, Va. The attention of even the layman is instantly seized by a series of colored charts showing the mortality of the city from the different diseases at present and during the past, and the remarkable effect of certain measures such as the introduction of diphtheria antitoxin, and the abatement of privies. The reading matter, also, is well planned and written. Reports such as this are bound to bring returns in the form of public appreciation and support.

The survey reports of the Russell Sage foundation (F. Schneider, Jr., sanitarian) are likewise exceedingly effective. Their educational value can scarcely be overestimated.

"The Example of York" is the title of an interesting report by W. E. Brown, telling the story of health work in a Maine sea-resort of 3,000, which now appropriates nearly a dollar per capita for health promotion.

In conclusion, a word should be added regarding vital statistics. A little knowledge is always a dangerous thing, and in vital statistics it leads to ridiculous blunders. The part-time health officer of a New York city of 25,000 reports the total death rate of his city as 17.8 *per cent*, and the birth rate as 20.2 *per cent*. Such rates might be applicable to a community of guinea pigs, but scarcely to human beings.

Further discussion of this subject is not possible at this point. Suffice to say that unless vital statistics come from one skilled in the subject, both the statistics and the conclusions should be accepted with great caution.

ANALYSIS OF MEASURES RELATING TO MUNICIPAL ADMINISTRATION AND LEGISLATION SUBMITTED TO POPULAR VOTE AT THE NOVEMBER ELECTION

First Installment

BY FREDERICK REX¹

Chicago

A LARGE number of propositions relating to municipal administration and legislation were referred to the voters of the various cities, towns and villages in the United States for approval or rejection at the general election held in November of last year. These measures included proposed amendments to state constitutions and city charters, local ordinances and questions of public policy. The submission of such measures to the people was not peculiar or confined to any city, state or other territorial unit. They varied from single propositions submitted to the voters in certain cities in the North Atlantic states to thirty-three state and municipal propositions placed on the November ballot in San Francisco, twenty-six of these being purely local measures. In subject-matter they ranged from an act making New Year's day a legal holiday to intricate questions of public improvements and financial policy. The ability of the voter to exercise discrimination is shown by the result in San Francisco, where the electorate approved three and rejected four proposed amendments to the state constitution, adopted one and defeated two of three proposed ordinances, voted down ten and ratified thirteen proposed amendments to the city charter.

In Los Angeles the voters approved ten and rejected six of the referred measures. In other words, the voters of San Francisco approved 51.5 per cent and rejected 48.5 per cent, and the voters of Los Angeles ratified 62.5 per cent and defeated 37.5 per cent of the propositions placed on the ballot for their suffrage.

Generally in the various cities the questions referred were explained to the voters by local newspapers, civic organizations and interests affected. In the larger cities bulletins were published and distributed among the voters containing the gist of each proposition and the reasons or arguments for and against each. In the main, the measures referred were phrased in clear and simple language, thus enabling every voter to

¹ Municipal reference librarian.

cast his or her ballot intelligently. An analysis of the propositions submitted to the electorate in the cities from which information has been received is herewith made, according to the subject-matter of such measures.

ANNEXATION OF TERRITORY

On the ground that East Cleveland is already a part of Cleveland commercially, industriously, socially and in all other ways except in government, the voters of the larger city were urged to vote on the annexation of the suburban city. It was urged as unfair that the suburban city should ask the metropolis to furnish suburban residents with parks and public recreation, a wholesome water supply, sewage disposal facilities and all the other advantages possessed by a large city and not share in the expense and responsibilities incident thereto. The measure was carried by a large majority.

BRIDGES

Lawrence, Mass., voted on an act authorizing the expenditure of a sum not exceeding \$11,000 as part payment for work performed in connection with the rebuilding of Wellington bridge. Milwaukee approved the issuance of \$250,000 in bonds for the erection and construction of a bridge across the Milwaukee river. The defeat of the bond issue was urged by the city club on the grounds that traffic conditions did not justify the erection of another bridge in close proximity to other bridges and that the cost of maintaining the present bridges in Milwaukee is far in excess of the amount expended by other cities of the same size for a similar purpose. The measure, however, was vigorously supported by business interests affected and by the Socialist party. The voters of Louisiana approved an amendment of the state constitution giving the city of New Orleans the right to construct and operate across the Mississippi river at or near New Orleans bridges and tunnels for railroad and highway use, together with all railroad and highway connections, terminals and other necessary facilities. The city is also given power to issue bonds for the purpose of undertaking the foregoing public improvements.

CHARTERS AND CHARTER AMENDMENTS

The voters of Fitchburg and Quincy, Mass., adopted new city charters providing for government by a mayor and a council elected by districts and at large. In Kansas City, Mo., a board of thirteen freeholders was elected to draft a new city charter. An act passed by the legislature of the same state revising the city charter of Springfield was submitted to the voters for acceptance.

The voters of Berkeley rejected an amendment to the city charter providing for the city-manager plan of government, the city manager to be appointed by the council, irrespective of his place of residence.

The voters of the city of Chicago defeated an act passed by the state legislature providing for the consolidation in the city government of Chicago of the Lincoln park, South park, and West park systems as well as thirteen smaller park districts and the public library and house of correction. The Lincoln park and the West park systems are each at the present time governed by a board of seven members appointed by the governor, the South park system is governed by a board of five trustees appointed by the judges of the circuit court, and the thirteen smaller park districts are each governed by commissioners elected by the people of the park district. The public library is at present governed by a board of nine directors appointed by the mayor, three each year for a term of three years. The house of correction is governed by a board of three inspectors, one being appointed each year for a term of three years. The act rejected by the people at the November election provided for the consolidation of the sixteen independent park governments under one board of nine commissioners to be appointed by the mayor, three each from the west, south and north divisions of the city for a term of six years, the terms of office of three commissioners expiring every two years. The act abolished the board of trustees of the public library and the board of inspectors of the house of correction, the foregoing institutions being placed directly under the city council. The defeat of this meritorious measure at the polls, however, does not prevent the resubmission of the act at a future election, for it is provided that the act may be placed before the voters repeatedly until its final passage is secured.

CIVIL SERVICE

In Kalamazoo, an attempt was made to repeal the civil service law. The voters, however, decisively defeated the project at the polls. The electorate of the city of San Francisco defeated an amendment to the charter extending the civil service system to all departments and offices, confirming without examination all employes under civil service who had been in the employ of the city and county for more than one year, and making probationary civil service employes of those who have served more than six months and less than one year. The civic league of improvement clubs and associations of the city advised the voters to vote no on the foregoing amendment as the latter gave to political appointees the protection of civil service without due examination. The voters of St. Paul also had before them for approval or rejection a proposal for the repeal of the provisions of the city charter requiring employes and officers in the classified service to be appointed and promoted on the basis of fitness, determined through a competitive examination, and permitting appointing officers to make appointments and removals at pleasure.

MUNICIPAL COURTS

An amendment to the charter of San Francisco was proposed upon petition by more than 29,000 citizens providing for a general reconstruction of the police courts of the city. The amendment provided for one court with four judges to be appointed by the mayor instead of four separate departments. It was further provided that the court remain open from 8 a.m. to 2 a.m. with at least one judge on the bench. The purpose of the last provision was to give an arrested person an opportunity for a prompt hearing without being locked up over night or compelled to find bail and return to court for hearing the following day. It was urged that the practice in effect of four courts sitting at the same hours and adjourning at noon inflicted hardships on persons arrested later in the day. The court hours proposed in the amendment were fixed with reference to the hours during which the police report off duty, in order that they could be heard promptly instead of being brought to testify at inconvenient hours. It was designed to eradicate the bail bond brokerage evil by compelling continuous sessions of the court from eight o'clock in the morning until two o'clock the following morning, thus enabling accused persons to secure a prompt trial instead of making them dependent upon bail bond brokers by reason of the prevailing short sessions of the police courts. The amendment also provided for a presiding judge whose duty it should be to distribute the business of the court and fix rules of procedure. The same system of centralized and responsible administration of the courts was provided for as that which has made the municipal court of Chicago a notable success. The term of each judge was fixed at six years and any police judge upon becoming a candidate for an elective office automatically vacated his seat on the bench, thus preventing any judge from using the powers of his court to secure votes. It was further provided that a police judge, although appointed, could be recalled in the same manner as an elective officer and for the summary trial before the superior court and removal on complaint of a citizen or a police judge or court attaché convicted of wilful failure to perform his duty. In order that an arrested person might not be kept in jail nor compelled to furnish bail for petty offenses it was provided that a person arrested must be brought promptly before the court and, unless he should ask for a postponement, his case speedily disposed of. The foregoing amendment was drafted by the legislative committee of the civic league of improvement clubs and associations acting jointly with a similar committee from the commonwealth club of San Francisco.

Another amendment of the same sections of the city charter as the foregoing proposition was placed on the ballot by the board of supervisors at the request of the police judges. It provided for the election of judges by the people and the holding of night sessions of the court at the

option and during the pleasure of the mayor. Both proposed amendments were rejected, however, at the election by practically similar majorities, the amendment drawn by the civic league and commonwealth club being defeated by 41,960 votes, and that of the board of supervisors by a total of 43,465 votes. The voters, however, approved an amendment to the charter whereby the salary of each police judge was increased from \$300 to \$400 per month.

MUNICIPAL ELECTIONS

The voters of Los Angeles adopted an amendment to the charter providing that any matter which is to be submitted to the voters of the city, except the regular elections for city officers, may be submitted at a county, state or national election. The measure aims to do away with expensive special elections. The city of Newton voted on the adoption of an act passed by the legislature authorizing preferential voting at municipal elections. The voters of San Francisco approved an amendment to the charter providing for the election of municipal officers at one election instead of two. The measure consolidates the primary and general election into one, through the preferential voting system. Instead of holding a primary election in September and a general election in November, it provides for one municipal election in November. It also provides for counting the ballots at the election office in the city hall instead of in 700 scattered precincts. It is made the duty of the election officers to seal the ballot boxes as soon as the polls close and to bring them to the department of elections where they will be counted by trained deputies in public view. It is urged in support of the amendment that it will save the expense of the primary election, amounting to about \$55,000 and also save \$13,000 more in the expense of counting the ballots, or a total of \$68,000. It will save the candidates the cost of one campaign where, up to the present, they must make two and only call on the voter to attend one election, thus securing the substantial advantages of majority rule, saving \$68,000 of public money and rendering it possible for men of small means to run for public office and, likewise, shorten the campaign. The voters of Massachusetts approved an act to prevent the voters of one political party from voting in the primaries of another political party.

FINANCIAL PROPOSITIONS

Lawrence, Mass., voted on an amendment requiring that trust funds held by municipalities be placed at interest in saving banks, trust companies incorporated under the laws of the state or in national banks, or invested in securities which are legal investments for savings banks, and on an amendment providing for the payment of 6 per cent interest on unpaid taxes, computed from the date when taxes are payable. The

voters of Los Angeles approved a proposed amendment of the charter giving the council the right in its discretion to pay any salaries semi-monthly or weekly. The amendment seeks to remedy the conditions prevailing under the old method of monthly payment by which employes in need of financial assistance assigned their salaries to loan sharks at an exorbitant rate of interest. A further amendment of the charter of the same city was sought whereby the board of harbor commissioners, with the approval of the mayor and two thirds of the council, was authorized to let emergency contracts without bids. Although this practice is permitted to the board of public works under similar conditions and very rarely exercised and was deemed a proper provision for possible emergencies, the voters at the polls defeated the amendment. A third amendment, modeled after similar provisions of the New York and Philadelphia laws, permitted the council by a two-thirds vote, to authorize the issuance of short-term notes of the city to raise money to carry the city between the beginning of the fiscal year on July 1, and the paying of the taxes in November. At present a reserve fund of \$1,250,000 is carried by the city for this purpose and the advocates of the amendment claimed that the expense of carrying this reserve fund could be eliminated under the proposed amendment. The municipal league of Los Angeles, however, in opposing the amendment, urged that the reserve fund fulfills a further function than simply that of making it possible to pay cash for the city's bills, because it is in effect a real reserve in time of emergency. The existence of similar provisions in New York and Philadelphia, it was pointed out, had resulted in such abuses as borrowing on such bills in order to pay current debts. Likewise, in times of financial stringency, the city might be able to borrow at any reasonable rate and therefore would be put to a much greater expense than the cost of carrying a reserve fund. The last named fund, with improved methods of depositing the city's money in the banks, whereby a satisfactory interest rate would be secured, would not thus prove a heavy expense or burden. The voters of Los Angeles, believing the amendment unwise as presented and opposed to the basic principles of conservative finance and safety, defeated the amendment by a large vote. The voters of San Francisco approved an amendment to the city charter providing for the written consent of the auditor and chairman of the finance committee of the board of supervisors, in addition to that of the mayor, in selecting depositories of public money. It was urged in support of the amendment that these two officers should have a full knowledge of the city's financial condition and accordingly be better able to direct its policies. In Seattle the voters by a vote of 36,155 to 18,976 defeated a proposed amendment of the constitution of the state of Washington restricting the right of suffrage in bond issue elections to taxpayers. The voters of Toledo approved a bond issue designed to meet a deficiency in the operating or current revenue of the city. Sim-

ilarly, the voters of Columbus in Ohio approved three propositions increasing the tax rates of the city 2.4 mills and of the board of education .5 mills in order to meet the operating demands for the year 1917 and a bond issue of \$3,500,000 for river improvements. The voters of the state of Washington defeated a referendum measure requiring the submission of a budget by the governing officials of all counties, cities, towns, school and park districts each year and specifying in detail the manner of preparing such budget. The measure, among other items, prohibited the expenditure out of any fund of more money than that provided for in the budget and using the unexpended balance in one fund for the benefit of another.

FIRE DEPARTMENTS

The voters of Haverhill by a majority vote adopted an act passed by the legislature authorizing the city to retire and pension at half pay any permanent member of the fire department certified by the city physician to be permanently disabled, mentally or physically, from further performing duty by reason of injuries sustained or illness incurred through no fault of his own while in performance of his duty, or those in service not less than 25 years or 60 years of age, in the last two instances the member of the fire department able to qualify thereunder being given the privilege to retire at his own request. Somerville submitted to its voters a proposition providing for permanency of tenure of the chief of its fire department during good behavior subject to removal by the mayor and board of aldermen for cause and specific reasons.

The voters of East Orange rejected the act providing for the two-platoon system in the fire department. The voters of San Francisco, however, approved an amendment to the city charter providing for the two-platoon system whereby firemen are not required to be on duty more than fourteen consecutive hours. It was urged in support of the amendment that the system would provide an adequate number of men on duty at all hours without additional cost to the taxpayers as well as increase departmental efficiency with a resultant reduction in fire losses and decrease in insurance rates.

The city of Berkeley by a close vote defeated a proposed amendment to the city charter authorizing the city to pension on half pay employees who are in the city service for twenty-five years. Newton voted on an amendment to its charter authorizing the city to pension any firemen who, by reason of permanent disability incurred during the performance of duty, are no longer able to perform active service. San Francisco approved two amendments to its city charter giving the boards of police and fire commissioners additional control of the police and firemen's relief funds. The amendments give exclusive jurisdiction to both boards over pensions to which members of families of policemen and firemen

killed or dying as the result of injuries sustained while in the performance of their duties may be entitled. Applicants for pensions are granted hearings before the police or fire commission and may be represented by counsel and introduce available testimony. The judgment of the board of police or fire commissioners in passing upon applications is final unless there has been a clear abuse of discretion, in which event the applicants have the right to appeal to the courts for relief. The voters defeated a proposed amendment to the charter of the same city authorizing the board of supervisors to levy a tax to meet the demands made upon the police and firemen's pension funds when a deficit exists or the present sources of revenue may be found insufficient for the maintenance of these funds.

HEALTH PROPOSITIONS

The voters of Oregon by a vote of 100,119 to 99,745 defeated a measure proposed by initiative petition prohibiting compulsory vaccination, inoculation and other similar treatment for the prevention or cure of contagious or infectious diseases. It was urged by the proponents of the measure that the latter would not prohibit vaccination of any kind, but merely prohibit compulsory vaccination of all kinds.

The citizens of Detroit approved a charter amendment empowering the city council to levy taxes or issue bonds for acquiring lands and buildings to be used as hospitals and the maintenance of the latter. Bloomington in Illinois approved a proposition providing for the establishment of a tuberculosis sanitarium by the county.

To be concluded in the July issue

THE BUDGET AMENDMENT OF THE MARYLAND CONSTITUTION

BY HARVEY S. CHASE, C.P.A.

Boston, Mass.

THE issue of a pamphlet purporting to be a serious critical analysis of a constitutional amendment recently enacted by the people of Maryland, offers an opportunity to consider this amendment in relation to such alleged analyses and, as one of the authors of the amendment, I am glad to comply with the request of the editors of the NATIONAL MUNICIPAL REVIEW and contribute my views thereon.

In the first place, the title of the pamphlet in question is sensational, viz.: "Serious Defects of Maryland's Budget Law."¹ Following this publicity-attracting title, the sections of the amendment are criticized

¹ The institute for public service (Dr. William H. Allen, director) recently issued a pamphlet entitled "Serious Defects in Maryland's Budget Law," a measure that has attracted wide attention. The Maryland budget law was similar to the proposal that was brought before the New York constitutional convention of 1915. It was promulgated in Maryland, however, as a Democratic measure and passed by the legislature of that state with almost no opposition. Since its adoption it has been commended by many who are interested in budget reform and is now under consideration for adoption in several states. As an illustration of the consideration that is being given to this law, we may be permitted to quote from the inaugural address of the governor of West Virginia in the course of which he said:

I advocated the establishment of a budget system similar to that adopted by Maryland by a constitutional amendment which was framed and recommended by the Goodnow efficiency commission. This Maryland plan was unanimously endorsed at the governors' conference in Washington in December last, as well as by the retiring governor of this state in his annual message to the legislature. It has been endorsed by the bureau of municipal research and by economic experts everywhere. I prepared and caused to be introduced in each house of the legislature a similar amendment, embodied in a joint resolution, providing for its submission to the people at the election in 1918.

Illinois has recently adopted an executive budget law as a statute matter. In 1916 the Edge bill was passed in New Jersey, and in Nebraska the Norton bill providing for an executive budget was passed.

The subject has come to be one of such importance as to make it desirable to give the matter something more than passing attention in the pages of the NATIONAL MUNICIPAL REVIEW, and accordingly we asked Dr. Cleveland, who had been prominent in the formulation and adoption of the Maryland law, to prepare a series of questions to the author of the pamphlet enlarging certain aspects of it. Dr. Allen has consented to answer these questions. We had hoped to have his reply in time for publication in this issue, but the exigencies of the situation in his office prevented this. We are promised, however, his replies for our July issue. These will be published in connection with the inquiries of Dr. Cleveland, and thus the issue fairly presented to our readers. In the meantime Mr. Chase, to whom the pamphlet was first sent for review, has prepared this preliminary notice. In fact it was the receipt of Mr. Chase's manuscript that crystallized the edi-

without appreciation for their good points, but with drastic emphasis on their alleged faults of omission and commission.

Nowhere in the pamphlet do we find an acknowledgment of the prolonged and careful study given to the contents and the wording of this amendment by the commission appointed by the governor of Maryland and composed of the ablest men in the state, selected solely for demonstrated wisdom and capacity, irrespective of partisan considerations. These gentlemen—without money compensation—labored for months over this amendment, assisted by persons who had had long experience in governmental matters relating to finance and of whom the writer acknowledges he was one.

Nowhere in the pamphlet is there expression of an understanding of the difficulties actually surmounted by the commission, not only in originating the amendment but in bringing about its enactment by both branches of the legislature of Maryland, and finally in obtaining the strong endorsement of it by the people of Maryland at the last election in November.

It would be natural to expect from the head of an organization which purports to act in the service of the public—whether or not it receives money compensation—some expression of appreciation of the many admirable features of the Maryland amendment and a corresponding appreciation of the self-sacrificing work done by those responsible for its initiation and completion.

The lack of such appreciation causes surprise until the last page of the pamphlet is reached. Then it becomes evident why the ultra critical attitude has been adopted and why no credit has been allowed for the good work done.

The last page says: "The questions here raised by the institute for public service are prompted not by theoretical interest in budget making." (*Sic*) "Officers of the institute have had first-hand experience in making city and state budgets." Then, in a footnote: "If the institute for public service, with official or non-official relation to your state's budget making, can help anyone in your state, please command us."

In other words, the pamphlet, with its spectacular title, is merely an advertising scheme to get business for the promoters of the aforesaid "institute." The situation now becomes clear, the reasons for wholesale criticisms are evident, the antagonisms to other and longer established agencies of public service are explained, and we may gently push the

tor's thought with regard to a further consideration of the questions of principle and practice involved.

Copies of the Maryland budget amendment can be had of the department of legislative reference, city hall, Baltimore, Md. (Dr. Horace E. Flack, director). Copies of the critical pamphlet can be had of the institute for public service (Dr. William H. Allen, director) 51 Chambers street, New York city.—EDITOR.

pamphlet one side and turn to the text of the Maryland amendment itself asking for fair and disinterested critical analysis.

As the writer has already twice acknowledged that he is one of the authors of this document, it may be urged with reason that completely "disinterested" criticism could scarcely be expected from him. Therefore he may as well point out another feature of the "institute's" advertising pamphlet in which after having ensconced itself in a glass house by its final appeal for business, the institute proceeds to contravene the old adage by immediately throwing stones at other houses which it declares are glass. It not only throws stones, but it throws *mud*, by declaring

"that the Maryland amendment is not merely a Maryland amendment but because of its origin has become a propaganda. Behind it is a lobby that has innumerable spokesmen and organs. Five different forces are pushing this amendment, calling it to the attention of the governors' conference, extolling it to newspapers, legislators, individuals, governors, etc.:

"(1) The institute for governmental research financed by the Rockefeller foundation and associates upon a platform that unequivocally disregards, where it does not unequivocally disrespect, public ability and right to understand budgetary questions. Its chairman was one of the commission that proposed this Maryland amendment and was formerly one of President Taft's economy and efficiency commission, whose proposals for a national budget miscarried chiefly because they concentrated attention upon 'executive' and 'classification' to the disregard of 'people' or 'legislative' and 'understanding.'

"(2) The second force is that of a private accounting house whose head was also one of the commission which drafted the law under President Taft's commission. Apart from a personal enthusiasm for his own handiwork this commissioner naturally and legitimately uses the advertising agencies of the long-established accounting service to emphasize the merits of the Maryland amendment which he helped draw.

"(3) The third is a nation-wide advocacy of the Maryland amendment born of that gratitude which is a lively sense of favors to come. The mere fact that the Rockefeller foundation and the noted and devoted men who are on the board of the institute for governmental research are backing this proposal means that large numbers of persons wishing money and personal and institutional preferment and recognition instinctively and without question accept the Maryland proposal.

"(4) Fourthly, the mere fact that the Maryland proposal is something already formulated, easy to take and apparently answers many of the protests against helter-skelter budget making, combined with

"(5) A fifth force, the universal discontent and impatience with our blundering method of voting away state funds, gives this Maryland amendment backing to which intrinsic merit does not entitle it."

The moral of such a pamphlet is apparently this: That if you cannot fool all the people all the time, you can safely plan on at least fooling some of the people some of the time. Seriously, however, if the experience of the members of President Taft's commission on economy and efficiency

for three years, with all the resources of the national government at their disposal, backed by years of practical experience in the study of governmental affairs by each member—selected by the President for these reasons—coupled with the exceptional legal capacity and standing of the members of the governor of Maryland's commission, is not sufficient to provide a constitutional amendment for the state of Maryland which can withstand being shot full of holes by any whippersnapper "institute" which comes along hoping to advance itself by defaming others, then there is little use in attempting such reforms.

We all know, however, that such a conclusion is ludicrous, fully as ludicrous as the institute's alleged "serious objections."

Let the institute draw up an amendment, get it passed by a legislature, adopted by the people of a state, and then come to us with it. When it does that it will deserve, and we hope it will receive, appreciative comment and criticism. This is exactly what has been done in Maryland by those whom the institute is inclined to sneer at.

PITTSBURGH AND THE NATIONAL MUNICIPAL LEAGUE¹

BY OLIVER MCCLINTOCK

Pittsburgh

WE, of the chamber of commerce, are very glad to have the members of the civic club as our guests to-day. It is fitting to thus come together, because of the very important subject to be considered, in which we are all deeply concerned, namely: the report of the council's special committee on taxation; and also because of the distinguished president of the National Municipal League, who is to address us on that subject. Both organizations are highly honored by his coming to Pittsburgh, and both are deeply interested in receiving instruction from him.

I request, just here, your indulgence for making a personal explanation, because of President Garland's allusion to my having recently received the honor of an election as vice-president of the National Municipal League. The true explanation is, that that honor was not conferred upon me because I had done anything to deserve it, but rather as a compliment to the Pittsburgh chamber of commerce, whom I had the honor of representing as their delegate to the Springfield convention. It was a token of the League's good-will and their recognition of the high standing and influence of the chamber. It expressed their desire to foster sympathetic and cordial relations between the two organizations and to secure the chamber's co-operation in the League's great task of quickening the citizenship and improving the government of the cities of the United States. Good citizenship, good city government and equitable taxation are the chief and essential things for us to seek, because they are the secure foundation upon which must rest the welfare and permanent prosperity of every city.

The chamber recalls, with grateful remembrance, the joint convention which the National Municipal League and the American Civic Association held in Pittsburgh in 1908, as the guests of the chamber, the civic club, the Pittsburgh board of trade and other civic organizations.

No city is more indebted to the National Municipal League than is Pittsburgh, for the quickening of our civic conscience, and our awakening to a realization of our civic needs, which that convention imparted to our citizens. From it came the stimulus and initiative which inspired the great citizen's movement in 1909, in behalf of a new city charter.

¹ Address introducing Lawson Purdy at a luncheon of the chamber of commerce of Pittsburgh, February 6, 1917.

The resistless momentum of its numbers and their determined purpose overwhelmed the partisan politicians and compelled the state legislature to set aside the traditional, but thoroughly discredited bi-cameral form of city councils, and to substitute for it our present small council of nine, elected at large and on a non-partisan ballot.

City Controller E. S. Morrow expected to be with us to-day but has been unavoidably prevented. We all love and honor him as the Nestor of our city government. He will confirm my statement, that that convention also imparted the initiative which gave Pittsburgh its improved budget system of appropriations and its improved methods of municipal accounting. Both were strongly urged, at that time, by LeGrand Powers, chief statistician of the U. S. census bureau. Our open-eyed and open-minded Controller Morrow, ever alert and watchful for the city's interests, seized upon these improved methods and introduced them into the management of his department of the city's finances.

You will all doubtless recall the wonderful civic exhibit displayed in the Carnegie galleries, in connection with that convention. Besides the model city budgets, shown by the bureau of municipal research of New York city in the interest of municipal efficiency, there was the exhibit of the committee on the congestion of population in New York city, illustrating the need of scientific city planning for the development of a city and the proper and natural distribution of the population by zones and the protection of residential districts from the injurious intrusion of manufactories.

There was also the exhibit of co-operative housing for workmen in European cities, also of industries and industrial conditions, with photographs of protected machinery in German manufactories. The civic club set forth Pittsburgh's system of playgrounds for children. Pittsburgh's department of public works had an exhibit, showing the operation of the new water-filtration plant, put in partial operation in 1908. The Pittsburgh tuberculosis league and the city bureau of health visualized by exhibits their joint fight against tuberculosis and typhoid fever, both preventable diseases.

Both had scourged Pittsburgh for twenty-five years, and typhoid had at last become epidemic, filling us with consternation because of its widespread ravages. That it was a water-borne disease, preventable by the use of filtered water, was demonstrated, beyond a doubt, by the astounding figures of the vital statistics of the years preceding the change to filtered water in 1908, compared with the years following that change.

In 1906, there were 5,649 cases, with 508 deaths. There were 3,000 deaths in the whole state of Pennsylvania.

In 1907, there were 5,421 cases, with 622 deaths.

In 1908, with filtration in partial operation, there were 1,833 cases or about one-third the number for the preceding year.

Coming down to the present, in 1915 when the records of the bureau of health began to differentiate between resident and non-resident cases, there were 262 cases of residents with 37 deaths. In 1916, there were 218 cases of residents with 31 deaths, showing conclusively that filtered water has practically eliminated typhoid fever from Pittsburgh.

But, the uncomputed bill of economic loss representing the thousands of lives needlessly sacrificed and the untold sufferings of many thousands more of the living, stands as a terrible bill of indictment for incompetence and inefficiency against the city government, they being charged officially during those years with the responsibility for finding the remedy.

But, may we not justly say that the primary responsibility belonged to the apathetic citizenship of the manufacturers and merchants, the bankers and leading citizens, who were so engrossed in their mills and banks and merchandise, that they failed to take that active interest in the public welfare, which ought and which could have inspired and controlled the city officials into taking the required action for delivering the city from the typhoid pestilence?

I fear that I may seem to have exceeded the proprieties of my function as introducer of the speaker by this digression to the National Municipal League convention of 1908, and its civic exhibit and the uplift and benefit they imparted to Pittsburgh, and that I have gone too far afield from Taxation, the announced topic of the day.

But, I have done so for two reasons. The first is, that I want to emphasize the fact that the humanitarian work for the physical and moral welfare of the people, which our local civic club has performed so efficiently and successfully, and the quickening of citizenship and improvement in the municipal government of American cities, in which the National Municipal League has achieved such large success, are both of fundamental importance to the stability and permanence of our commercial prosperity.

Those members of the chamber, who want less civics and more of commercialism in the activities of the chamber, who claim that the exclusive function of the chamber should be to expand the city's commercial interests, to increase the tonnage of the mills, to construct vast manufacturing and pile up huge bank deposits, who would banish civics as entirely foreign to these commercial aims and would relegate them to the domain of soft-hearted humanitarians and high-browed theorists; these members must awaken and realize that comfortable and sanitary living, the physical and moral welfare and happiness of the laborer and artisan and their families are of fundamental importance, both in the attainment and also in the permanence of commercial prosperity.

This narrow point of view, which would eliminate civics and philanthropy from the function of the chamber of commerce as unneces-

sary and foreign, must give place to the broader point of view, which realizes that improved and sanitary housing of workmen, the elimination of preventable diseases, the establishment of parks for the people and playgrounds for the children, the conservation of the young men of the city, spiritually, morally, mentally and physically by the beneficent work of the Y. M. C. A., the regulation of child labor, compensation for the loss of life or limb by workmen, the protection of machinery against accident, an adequate building code for protecting the community from loss by fire, a greater efficiency in municipal government and the elimination of partisan politics from municipal administration; that all of these things make for a reduction in waste and economic loss, and therefore are potent and fundamental factors in the productive capacity and commercial efficiency of Pittsburgh.

The second reason for my digression is, that I wanted to fix your attention upon the obligation we owe to the League, consequent upon its generosity of service to Pittsburgh, to co-operate with it and help hold up its hands in extending its benefits to other American cities. You can do this most effectively by taking an active membership at \$5, or a contributing membership at \$25. It should be considered that no small part of the benefits received by members consists in their being entitled to receive free, the NATIONAL MUNICIPAL REVIEW. This quarterly is an invaluable repository of able articles and current information upon the progress of municipal government in the United States. The National Municipal League has been the pioneer in arousing public interest in the improvement of municipal government, and its quarterly registers its progress in a well ordered and readable form. Owing to the increased cost of printing and the lack of adequate funds, the League has been compelled to reduce the number of its pages during the past year.

Another good reason for taking a membership, springing out of the present occasion, is that of gratitude. It would be an indirect compliment to Lawson Purdy, president of the League, and a token of your cordial appreciation of his generous service to you, in taking time out of his very busy life, and with much personal inconvenience to himself, to come to Pittsburgh to address you.

I now have the honor of introducing to you the speaker of the day, Hon. Lawson Purdy, president of the National Municipal League and president of the department of taxes and assessments of the borough of Manhattan. Of him the Hon. William Dudley Foulke, in giving place to him as his successor in the presidency of the League, said: "He is perhaps the ablest in America to deal with the most important remaining problem that now lies before us in our municipal program,—the problem of municipal taxation."

NEW ORLEANS' INCREASING POLITICAL HEALTH

BY E. E. MOÏSE¹

New Orleans

SOME sensational incidents of the last five months have thrown a bright light on government by a commission of five in New Orleans.

One hesitates to say "commission government," because, as was pointed out in the article on this subject in the January issue of the NATIONAL MUNICIPAL REVIEW,² the New Orleans charter lacks many features of the usual commission charter, and the commissioners were chosen by the "regular Democratic organization" on a strictly partisan basis.

The one effective provision, which concentrates executive and legislative authority in the hands of five administrative officials, instead of dividing it between 23 aldermen, six department heads and a mayor, has once more demonstrated its value. The net result of a double attack upon the city hall by reform forces led by clergymen and women opposed to race-track gambling, and by a disgruntled race-track gambler with a newspaper, whom Mayor Martin Behrman had "double-crossed," is that what the administration organ aptly termed "a policy of unobtrusive non-observance of the law" is no longer so popular as before. In fact, the laws requiring Sunday closing, segregation of the races in saloons, forbidding the sale of liquor to minors and to women, and confining houses of prostitution to certain restricted districts, are enforced to-day as they have not been in years. Most significant of all, the owner of the administration newspaper aforesaid, the National Democratic committeeman, and "boss" of the tenth ward, the city and the state, has for the time at least aligned himself with the forces of reform.

These phenomena grew out of a deal between the mayor and the race-track operator from Jacksonville, who was then running his gamble at Havana. This man, H. D. (Curley) Brown, bought a race track after he received assurances from the mayor (according to his sworn testimony) that he should enjoy the privilege of violating the law against that form of gambling so long as residents of New Orleans had the same privilege. Brown was ready to operate when the mayor, under some undisclosed pressure, reversed himself and began applying all the force he could bring to bear to compel him to sell his track to the local track people, known as the "business men's racing association." The mayor and the commissioner of public safety, Harold Newman, having failed to induce Brown

¹ Of the *New Orleans Item* staff.

² NATIONAL MUNICIPAL REVIEW, vol. vi, p. 73.

to give up, called in commissioner of public property, E. E. Lafaye, at whose suggestion an ordinance was passed restricting the privilege of violating the anti-race-gamble law to "native sons." Brown, a citizen of Florida, knew the ordinance would not stand in the federal courts but realized that he faced a losing fight and decided to hold out for all the money the B. M. R. A. could pay for his newly acquired property.

Brown got out of the deal with \$50,000 profit and a grudge. He had acquired a newspaper, the *Orleans American*, which has since suspended publication. It had attracted little attention so long as its columns oozed fulsome eulogy of the mayor, but when its editor, Hugh Arnott O'Donnell, began to tell the people obvious truths about the city hall, and to hint at possibilities not so obvious nor so true, "things happened."

It was on January 6 that he laid the basis for a libel suit filed by the commission council January 9, by inquiring editorially "whether the politicians or the city treasury would finance the purchase of a second race-track (the one then operated under lease) by the business men's racing association?" It was known that they had promised to donate to the city for park purposes the one purchased from Brown under pressure from the municipal authorities, and the editorial was interpreted as a charge that the commissioners intended to buy a gambling enterprise with public money.

Simultaneously, the *American* started a series of news stories and editorials on flagrant law violations; and a movement among clergymen and men and women who had for years been fighting for social reforms was crystallized into the citizen's league, formed to conduct an active attack on the race-track gamble. Miss Jean Gordon, their secretary, has long been conspicuous as a tireless and effective worker for woman suffrage, child labor legislation, and its enforcement, and against race-track gambling and other social evils. Even the two newspapers which were supporting the administration called for "moderate law enforcement"; and the *Item* carefully reprinted all the editorials on the subject, and every news story from the *American* whose facts could be immediately substantiated.

Public opinion was sufficiently aroused to induce the commissioner of public safety to enforce the Sunday-closing law against the saloons and to make an attempt to move professional vice into the district set aside for it. Sunday closing immediately became generally popular with everybody but the brewers, liquor dealers, vendors of other facilities for dissipation and the mayor, who has since suffered with a grouch that has some symptoms of melancholia. The law makes the mayor responsible for the police; but, as the commissioner of public safety had claimed credit for some easy reforms in the force, the mayor publicly fixed the responsibility on him,—and he responded, with a grimace of pain. Most of the disorderly houses outside the district have been closed and it is probable that

all but the most quietly operated will remain closed. Rumors that the commissioner of public safety intends to resign are prevalent. He denies them. They are credited by a few who believe him to be a "quitter." It appears probable that he will not resign and that he will do whatever he can to see that the laws are better enforced.

The editor of the *American* was convicted and sentenced by a judge who expressed doubt of his guilt; and he now has an appeal pending in the supreme court. Brown's testimony at the trial was a revelation to the public and greatly stimulated opposition to the illegal race-gamble. Information based on affidavits against the business men's racing association have been filed by a district attorney who is politically intimate with the national committeeman, and who had previously been blind and deaf to similar evidence. The protagonists of the gamble attack the mayor for stirring up a row with Brown that they think will lead to its abolition; and the opponents feel kindly toward the district attorney.

The incidents that led to better enforcement of the Sunday-closing law and to the attempt to restrict disorderly houses to the "vice district" would have led to nothing notable under the aldermanic form of government. Similar flare-ups in those years had no appreciable results. The mayor and the commissioners now find it impossible to escape public scrutiny of their actions and inactions. Such escape for their predecessors was easy. The movement against the existence of the restricted district has been strengthened and the passage of an injunction and abatement law has been brought nearer. The broadest result is evidenced by a more general questioning of that tenet of the city hall, once arrogantly maintained, that New Orleans prospers through the patronage of tourists attracted by horse racing, unrestricted indoor gambling, law-breaking saloons and other facilities for dissipation. Not even the mayor has had the temerity to re-announce his formerly blatant allegiance to the "wide open town" since the disgusted gambler's suddenly "reformed" newspaper reached for his scalp.

A striking symptom of increasing political health (which has sufficiently increased to place New Orleans on the list of municipal convalescents) is the fact that a railroad, seeking a franchise for a new passenger terminal, is appealing to public opinion by stating its case in the newspapers. The railroad has announced that it will not pay one cent except for value received and that it will do without its ordinance rather than submit to the demands of the protestants against its project, who are led by a politician asking the road to buy his property, which it does not need, at three times its value. No such campaign has ever before been conducted in New Orleans by a public service corporation, which in the days of the aldermanic council, would have done its negotiating "in the dark" and "on the quiet." This one is throwing the searchlight on the "reasons" for disapproving the proposed ordinance put forward by former

Commissioner of Public Utilities W. B. Thompson and others by the incumbent, E. J. Glenny.

Another symptom of improving health is the offer of the street railways monopoly to submit to the judgment of a semi-official committee on its service and abide by its suggestions. The offer avowedly made for the purpose of forestalling an amendment to the ordinance requiring an excessive bond, which had put the jitneys out of business last year, has been accepted at its face value. The investigation of the service is now in progress, under the supervision of Commissioners Lafaye and Glenny. If it does not result in a marked improvement in street railway conditions, and in an adjustment which will allow at least a partial supplementary jitney service, the people of New Orleans will know whom to hold responsible for this.

No close observers believe the public is entirely awake to the possibilities of control over its officials brought about by concentrating power and responsibility in a commission of five. But the public has had a "taste of blood" and the immediate prospect is that the results will be important.

PUBLIC MARKETS IN THE UNITED STATES

The second report of the Committee on the Relation of the City to Its Food Supply is published under the above title and will be mailed on request to members. Additional copies can be had at the rate of fifty cents each.

Address:

**National Municipal League,
North American Building,
Philadelphia**

THE CLEVELAND EDUCATIONAL SURVEY

THE Cleveland educational survey is a significant piece of work calling for attention from various angles. Accordingly the editor of the NATIONAL MUNICIPAL REVIEW asked an educational expert in the person of Howard W. Nudd, secretary of the public education association of New York, and Albert deRoode, a public-spirited member of the New York bar, to examine the several volumes from their respective viewpoints. The result is produced herewith in parallel columns showing the reaction of the same piece of work upon independent observers. Following is a list of the reports making up the survey:

Child Accounting in the Public Schools, Leonard P. Ayres; Educational Extension, Clarence A. Perry; Education through Recreation, George E. Johnson; Financing the Public Schools, Earle Clark; Health Work in the Public Schools, Leonard P. Ayres; Household Arts and School Lunches, Alice C. Boughton; Measuring the Work of the Public Schools, Charles H. Judd; Overcrowded Schools and the Platoon Plan, S. O. Hartwell; School Buildings and Equipment, Leonard P. Ayres; Schools and Classes for Exceptional Children, David Mitchell; School Organization and Administration, Leonard P. Ayres; The Public Library and the Public Schools; The School and the Immigrant; The Teaching Staff, Walter A. Jessup; What the Schools Teach and Might Teach, Franklin Bobbitt; The Cleveland School Survey (Summary volume), Leonard P. Ayres; Boys and Girls in Commercial Work, Bertha M. Stevens; Department Store Occupations, Iris Prouty O'Leary; Dressmaking and Millinery, Edna C. Bryner; Railroad and Street Transportation, R. G. Fleming; The Building Trades, F. L. Shaw; The Garment Trades, Edna C. Bryner; The Metal Trades, R. R. Lutz; The Printing Trades, F. L. Shaw; Wage Earning and Education (Summary volume), R. R. Lutz.

These have been bound in boards and cloth in pocket size. They can be obtained at \$7 the set from the survey committee of the Cleveland foundation, 612 St. Clair avenue N. E., Cleveland, Ohio.

It is difficult to summarize in a few words the significance of the Cleveland survey as a contribution to public education. It is without doubt the most comprehensive and suggestive school survey yet made. Its value lies not only in its specific recommendations for improving the Cleveland schools, but also in the standard of method it has established, which will have lasting influence upon future school inquiries.

The auspices under which the Cleveland educational survey were conducted warrant thorough and extended consideration of the published results. Additional importance is given to the work because, as stated in one of the monographs ("Educational Extension" by C. A. Perry, page 17):

What is found to be true in this Ohio city will also be found to be applicable in

Every study in the field of education which adds to the sum of accurate and specific information on points generally understood and accepted is in itself a valuable contribution, but when it points out new ways of measurement and evaluation and new ways of making the technique of education intelligible to the public, its value is immensely enhanced. The directors of the Cleveland survey aimed systematically to stimulate the public and the schoolmen to constructive action through carefully planned conferences, between the surveyors and those particularly concerned, at which the findings of the several studies were thoroughly discussed before publication. This not only enabled the staff to correct errors of fact, but served to prevent charges of bad faith and to win dispassionate and intelligent consideration of the monographs when published.

Those who do not wish to read all of the twenty-five monographs comprising the survey, which present in detail the special aspects of the educational system, will find in the two summary volumes a splendid digest of the aims, method, findings and recommendations.

In the first summary volume, entitled "Wage Earning and Education," R. R. Lutz of the Sage foundation has strikingly analyzed the opportunities for wage earning in Cleveland and has formulated from a study of the distribution of adult workers in the various occupations what he designates an actuarial basis for vocational education. His contention is that the haphazard method of providing vocational opportunities which has characterized the educational programs of so many communities in the past is not only economically wasteful but educationally unsound. The type and extent of vocational education afforded by a public school system, he maintains, should have a direct relation to the opportunities in the community for using it. He emphasizes also in a gratifying way the unsoundness of specific vocational training for young children and the need of enriching the curriculum of the elementary grades with practical work opportunities along general and fundamental lines which will enable children to discover their aptitudes and

practically every other municipality of the United States.

We have thus a survey of a typical public educational system and the facts, conclusions and recommendations bear gravely upon the public instruction in this country.

There are two fields to be considered in this review:

1. The facts.

2. The conclusions and recommendations based upon these facts.

As to the first field, that of fact, the presentation by the survey itself is the best review. Undoubtedly the facts published are reasonably accurate although one gains the impression through the constant commingling of fact and theory that they are collated to prove *a priori* educational theories. Still this seems to be the chief use of facts in this day and generation.

One series of facts, however, is of grave significance scarcely appreciated by the surveyors.

In "Child Accounting in the Public Schools" by L. P. Ayres, it appears, pages 66 to 67:

According to a study conducted by the survey, 29 per cent of the children in the elementary schools of Cleveland are above the normal ages for their grades. This is a smaller proportion of over-age children than is found in most other cities.

According to a study conducted by the survey, 32 per cent of the children in the elementary schools have made slow progress. This is a better record than is made by the average city.

The children who constitute one of the gravest of educational problems are those who are both over-age for their grades and are making slow progress. In Cleveland 22 per cent of the children belong to this class. There are more than 15,000 of them.

Certainly if the Cleveland system is typical of the general public school system in municipalities and if the statistics for Cleveland are better than in the average municipality it is apparent that our present public school system is notably inefficient. If nearly one quarter of our elementary pupils are over-age and backward our school system is failing in its purpose.

It is in the field of conclusion and recommendation, however, that the survey demands the instant attention of every thoughtful citizen and parent. If the

secure the fundamental knowledge and skill essential to making a wise choice when the time for intensive specialized training arrives. The concrete application of these theses to the Cleveland situation makes this volume exceptionally helpful and suggestive to educators and laymen, in large cities especially, who are grappling with the difficult problem of vocational education.

The usefulness of this volume is increased by the chapters summarizing the monographs dealing with the specific vocational studies, such as, "Boys and girls in commercial work," "Department store occupations," etc. These chapters not only give the gist of the findings and recommendations of the original studies but place them in proper perspective to the general subject.

In the second summary volume, "The Cleveland School Survey," by Dr. Leonard P. Ayres, who directed the survey, a concise and comprehensive view of the so-called purely educational studies is presented. This volume is a veritable mine of information and inspiration to educators and laymen alike, and creates effectively a desire to go more deeply into the special topics treated in the individual monographs summarized. There is hardly a question of administration, supervision, and teaching, which is not commented upon forcefully on the basis of carefully evaluated data. Special emphasis is given to the original contributions of the survey in the field of educational measurement.

Of the special studies, schoolmen will be particularly interested in the monograph entitled, "Measuring the Work of the Public Schools," by Professor Charles H. Judd, of the University of Chicago. This volume is a real contribution to the scientific study of education. It presents in a telling fashion the achievements of the children in the Cleveland schools as judged by the best known standards of scientific measurement of school progress. It has been discussed more widely in educational circles and has had a larger sale than any of the other monographs. Its value lies not only in the additional light it throws upon conclusions already established by recognized standard tests, but also in the

principles and theories propounded are to influence our public educational system and if those holding these theories are to have a hand in shaping the education of our youth, it is well that we should be acquainted therewith.

The reviewer challenges the survey on the following points:

1. The attitude toward education is crassly materialistic.
2. The political theory as to public education is undemocratic.
3. The underlying principles respecting educational methods and practices are pedagogically unsound.
4. The survey is a catchpot of absurd fads and educational foibles.

As to the materialistic basis of the survey a glance at the titles of the different monographs is illuminating. "Child Accounting in the Public Schools" is one title,—as if children were to be lumped together as so many cogs in a machine or so many pigs in a stock yard and their social and mechanical values computed. Throughout, there is the constant application of what may be called the "mass theory" of human life, in which individuals are deemed important only as they constitute groups and classes contributing to the material welfare of the whole. This materialistic attitude is emphasized by the constant use of the present day jargon of business utility and the shibboleths of "efficiency." An indication of the materialistic attitude may be gathered from the following excerpts:

"Summary Volume," page 120:

The social point of view herein expressed is sometimes characterized as being *utilitarian*. It may be; but not in any narrow or undesirable sense.

"What the Schools Teach and Might Teach," page 77:

Most of our civic and social problems are at bottom *industrial* problems.

"Education Extension," page 26:

In a democratic society the *motive of self preservation* demands public measures for insuring that all its young and its handicapped individuals should be fitted to discharge with at least a minimum of competency the duties of citizenship.

When we come to the political theories of the survey we meet a fundamentally

new contributions it makes to educational measurement, particularly in the field of reading and arithmetic. The conclusions regarding these tests are made so judiciously that they will be of signal service in establishing public confidence in the value of scientific tests and measurements in education.

This volume is a striking example, also, of what can be accomplished through the skilful use of the graphic method in presenting statistical data and by paying heed to the appetizing effect upon the reader of attractive typography and the simplification of statistical tables. No survey can be truly successful which fails to "put over with a punch" its findings and recommendations. Professor Judd's study is unique in this respect. Furthermore, by setting forth in an elaborate appendix the scales and tests which were used and the directions which were given for applying them, it has been made a veritable text-book for students of education.

The monograph on "Overcrowded Schools and the Platoon Plan" by Superintendent Hartwell, of Kalamazoo, Michigan, has also created wide comment, which has been due, doubtless, to the nation-wide discussion of the work-study-play schools of Superintendent Wirt of Gary, Indiana. To those who are interested primarily in the enriched school life which the flexible program of the Gary plan provides, this volume is disappointing. The platoon type of organization recommended utilizes little more than the traditional activities of the school and increases only slightly the capacity. It misses almost entirely the spirit of the work-study-play school as developed by Mr. Wirt. While it will doubtless be of assistance, therefore, to those who are seeking to solve the problem of school congestion without changing materially traditional school practice, it will have little influence with those who are seeking to enrich the school life with social values made possible by using extensively the auditorium and playground, and by vitalizing the old academic training through supplementing it, from the kindergarten to the college, with practical activities in the workrooms and science laboratories and in the community

wrong conception of democracy. The entire survey proceeds upon the theory that the value of education is the development of useful citizens of a state which is something separate from and superior to the individuals composing it. Children as potential citizens exist merely for the benefit of this state, the welfare of which is measured by its material progress. The idea of a government of the people, by the people and for the people, has no place in the survey. For example, "Educational Extension"

If the masses are to participate in the task of ruling themselves, they must be trained for the job. . . . Left entirely to themselves it is not certain that the mass of people would secure that knowledge of how the government is run and how the people outside of their own spheres live which is necessary to intelligent civic action.—Page 26.

The function of the school is to assume, and thereby improve, the carrying on of those activities, not adequately managed by any other social agency, which prepare human beings for useful membership in a democratic society.—Page 34.

The political theory of the survey seems to be "government of the people, by the schools, for the teachers and educational experts."

In the field of purely educational method and theory there is a fundamental and corrupting principle of the survey which is pedagogically unsound. In "What the Schools Teach and Might Teach" by one Franklin Bobbitt, page 101, this principle is set forth as follows:

The fundamental social point of view of this discussion of the courses of study of the Cleveland schools is that effective teaching is preparation for adult life through participation in the activities of life.

The only correct basis of education is training *for*, not *in*, the activities of adult life. This theory of a child being a miniature adult capable of being educated by diluted experience and training in the activities and mental processes of adults is at the root of much of our educational evil. The beginning of all educational wisdom is the recognition that a child is essentially different from an adult, not merely in degree but in characteristic functions. This "Lilliputian" theory of education results in the production of

life of the school and neighborhood.

Superintendents, members of boards of education, and those interested primarily in the problems of school organization and administration will find the monograph by Dr. Ayres on that subject of great value. The analysis of the Cleveland situation and the solution suggested give the key to the solution of administrative problems in practically every city school system of the country. The compact scheme of organization proposed, with centralized professional responsibility and leadership—which has recently been secured, as a result of the survey, through the election of Superintendent Spaulding—is absolutely sound. In fact, it is fundamental to all other measures of administrative reform in the public schools.

The contribution of the survey to the method of reaching and interesting the public in school affairs, although already commented upon, cannot be too highly praised. Before publication, each section of the report was put into tentative final form, revised by the author and director, and submitted to careful study and discussion at a conference of local school people and the members of the survey committee. In this way, all questions of fact were submitted for discussion to the persons primarily concerned, and changes made wherever error was clearly found. The survey committee reserved, of course, the right to make on its own behalf whatever recommendations it deemed desirable. After each report had thus been checked up and printed, it was presented to the public, before release to the press, at one of a series of weekly public luncheons, at which the essential points were outlined for discussion by either the author or the director. In this way, the schoolmen were fully informed before the publication of the findings, and the particular monograph was released to the public under favorable auspices.

Those who are familiar with the New York school inquiry,¹ made a few years ago, will appreciate the value of this method of publication. The New York inquiry, like the Cleveland survey, was published in a series of monographs, each

nothing but "smart Alecks," or perhaps, to accord with the language of the survey, one should say "immature sciolists."

A few illustrations of the absurdity to which this point of view is carried may be cited:

"What the Schools Teach and Might Teach," page 30:

The purpose of real reading is to enter into the thought and emotional experience of the writer; not to study the methods by which the author expressed himself.

Fancy a child in its second year of high school entering into the emotional experiences of Franklin's autobiography and "The Vision of Sir Launfal," which constitute part of the prescribed reading in the Cleveland high schools.

The history should be so taught that it will have a demonstrably practical purpose. . . . The history should be developed on the basis of topics . . . we have in mind such topics as: (Here follows a list of 57 varieties among which may be cited "Sociological aspects of war," "Capital and labor," "Taxation," "Government control of corporations," "Conservation of natural resources," "Women in industry," and "Co-operative buying and selling.")—Page 56.

Portions of any of these topics would amply serve for Ph.D. theses. It is comforting, however, to know that this expert recognizes the need of some training in history as it is generally understood, for he says, page 59:

Naturally students must have some familiarity with the general time relations of history and the general chronological movements of affairs before they understand the more or less specialized treatment of individual topics.

As might naturally be expected from the unsoundness of the underlying point of view the survey has served as a catchpot for fads and foibles. The whole survey seems to have been seized upon by those conducting it as an opportunity for exploiting pet whims without any desire for constructive improvement or real analysis of the educational situation. When an author of what purports to be a serious monograph on educational extension writes the following:

As Percival Chubb has remarked, "If man can no longer save his soul through his work—and only a few of us can under

¹ See NATIONAL MUNICIPAL REVIEW, vol. ii, pp. 88 and 92, vol. iii, p. 327.

dealing with a specific phase of the school system; but the monographs of the New York inquiry were not attractively printed, nor were they written, in many instances, in a style that would attract and hold the attention of the general public and the majority of the teaching body. Furthermore, they were not tactfully released. The schoolmen whose work was criticized were given practically no opportunity to see or to comment upon the findings until after the reports were published, and the first impressions—usually the most lasting—which the public received, were secured from inadequate and misleading newspaper digests. As a result, the New York inquiry was received with great hostility, and the public and the schoolmen wasted their energies in fruitless wrangling over misunderstood motives and misrepresented facts, instead of in constructive discussion of ways to improve the schools.

The primary purpose of a school survey is to educate the public regarding the needs of the schools. Unless it does so effectively and wins general support, it is not only useless, involving useless expenditure, but it may be actually harmful and act as a retarding influence. In contrast with the New York school inquiry as a type of survey which failed to make the most of its opportunities, therefore, the Cleveland survey is a shining example. Taking advantage of the weak points of the New York inquiry, which was a pioneer in the field, it has shown the way toward achieving maximum results for the money expended and for the stupendous and painstaking work a comprehensive school survey entails.

HOWARD W. NUDD.¹

¹ Director, public education association of the city of New York.

modern conditions—there is all the greater reason why he should be enabled to save his soul through his play—

one is prepared for pretty nearly anything in the way of a fad. But perhaps the prize absurdity is a monograph on "Education through Recreation." A few excerpts will suffice:

The school-room is ill adapted to serve as a laboratory of citizenship or for the practice of democracy. School-room management is established on an almost purely autocratic basis. The teacher is much more like a ruler on a throne than like a president or a parent. Unless other satisfactory provision is made, then, from the standpoint of preparation for citizenship, the recess can no more safely be omitted from the school program than can the study of American history.—Page 15.

Therefore, the organization of inter-group school games in a democratic country is a fundamental duty and unavoidable responsibility of the educational system.—Page 36.

Play, by which is meant the organic predisposition towards characteristic human activity, preceded work in the race as activities preceded subject matter.—Page 86.

The reviewer offers a reward of \$5 for the most lucid explanation of the phrase "organic predisposition towards characteristic human activity." It reminds one of Mark Twain's comment that "there is a great deal of human nature in mankind." The contention that "activities preceded subject matter" contains as much error as could possibly be crowded into four words though the phrase serves well to indicate the character of the survey's own activities.

The net result of the survey seems to have been the publication of twenty-five volumes neatly bound and attractive in appearance. The content of the volumes is unimportant except for two things:

First: The fact that the public school system in a typical municipality has failed measurably in that nearly one quarter of the elementary pupils are over age and backward.

Second: That the only conception of a remedy by those who have conducted the survey is to raise to the *n*th power the very theories and methods which have resulted in the breakdown of the public school system.

ALBERT DE ROODE.¹

¹Of the New York bar.

NOTES AND EVENTS

I. GOVERNMENT AND ADMINISTRATION

The Consolidation of Governmental Agencies in Illinois.—The recent administrative reorganization in the state of Illinois was based upon an investigation made by an efficiency and economy committee created by the 48th general assembly of Illinois in 1913. This committee, under the chairmanship of Senator Walter I. Manny, selected Prof. John A. Fairlie of the University of Illinois as director, and prepared a very careful and comprehensive report upon all of the state's administrative activities. This report,¹ which covered more than one thousand pages, was submitted to the general assembly in 1915; with the report were submitted drafts of bills which, if adopted, would have reorganized the state administration, and have consolidated the greater part of the public legislation of the state. However, the bills were presented somewhat late in the session, and received little consideration; one or two smaller pieces of legislation were enacted upon the recommendation of the committee, but nothing further was done.

Governor Frank O. Lowden made his campaign for the Republican nomination and for election largely upon the issue of a state administrative reorganization.² Upon his election in November, 1916, he at once began tentative drafts of a measure which would bring about this reorganization, and when the legislature met early in January, 1917, a tentative measure was already in form for consideration. Separate committees were constituted in both the house and the senate for the consideration of the proposed administrative consolidation; a bill was agreed upon by

the house committee, was passed, and with some amendments enacted by the senate. Upon the report of a conference committee, a bill known as "the civil administrative code" was enacted, and this bill received the governor's approval on March 7. The act comes into effect on July 1.

This code consolidates into nine departments fifty or more functions and departments previously independent of each other. The consolidation is by no means complete, and many of the state functions remain independent of any one of the newly organized departments, but Illinois through this measure has accomplished the most thorough-going administrative reorganization that has yet been achieved in any state. The code has left as it stands the whole tax situation, and Illinois is very badly in need of a small central tax commission, but it seemed necessary that this wait, inasmuch as to attempt an administrative reorganization and a reorganization of the tax system at the same time may well have caused the failure of each.

Under the new code the state government is divided into nine principal departments: Finance, agriculture, labor, mines and minerals, public works and buildings, public welfare, public health, trade and commerce, registration and education. At the head of each is a director who generally has complete supervision over its work. Several boards independent of the directors are continued, such as the public utilities commission, and an industrial commission for the administration of the workmen's compensation act. A number of other boards or commissions are provided, but in general the boards other than the ones specified above are advisory in character, the final authority for action resting in the director. For the five normal schools

¹See NATIONAL MUNICIPAL REVIEW, vol. v, p. 147.

²The Hon. Morton D. Hull, state senator from Chicago, who was a candidate for the Republican nomination against Governor Lowden, was largely responsible for forcing this particular issue, which Governor Lowden promptly met and has faithfully fulfilled.—EDITOR.

a different plan was necessary. Each of these has until the present time been under the control of a separate board. The five are now placed under the control of a single board, with the director of education and registration as chairman, and with the superintendent of public instruction (a constitutional officer) as secretary.

This consolidation of independent state agencies may properly be regarded as the most important single thing done by the code. However, two other things of importance should be mentioned: (1) As a part of the plan of consolidation, provision is made for substantially all purchases for the state government and its institutions through the new department of public works and buildings. (2) Through the department of finance, budget information is to be collected and a budget is to be submitted to the general assembly by the governor at the beginning of each biennial session. The plans for central purchasing and for a budget could hardly have been carried out without the consolidation of previously independent departments and offices.

This reorganization does not affect either the constitutional or the present statutory functions of the state offices created by the constitution. Other than the governor there are now five: The lieutenant-governor, the attorney-general, the auditor of public accounts, the superintendent of public instruction, the secretary of state and the state treasurer. The lieutenant-governor has no administrative functions, but each of the other constitutional state officers has large functions under the constitution and other functions conferred by statute. For example, the auditor of public accounts has supervision over state banks, and the secretary of state issues licenses for motor vehicles. The state library is and remains under the supervision of the secretary of state.

A number of offices or departments created by statute are also not brought under the new administrative organization. The University of Illinois retains its independent organization; the board of equalization remains the state tax authority; the adjutant-general is not

included in the new organization nor is the state civil service commission. Something can still be done by statute to complete the administrative reorganization, and to bring all the executive agencies of the state under the nine new departments. However, so far as the constitutional state officers are concerned, a change can be made only by an amendment or revision of the constitution.

A joint resolution was adopted by the legislature in March providing for the submission to a vote of the people in November, 1918, of the question as to whether a constitutional convention should be assembled. To this convention will fall the determination as to whether the constitutional state officers other than the governor shall be reduced in number or in power, or whether the situation shall be left as it now is. Perhaps the most important thing to be considered by a convention is, however, a general rearrangement of governmental powers, with special reference to the powers of the general assembly. At the present time the latter is so hedged about by constitutional restrictions that the doing of anything in the way of effective legislation is very difficult. Of course it is out of the question as yet to know whether the people will approve of the assembling of a convention, but the movement for a convention has been under way for a number of years, and popular sentiment seems at the present time to be quite strongly in its favor.

Under the new administrative code a number of directors of departments have already been appointed, and in their appointment the governor has sought the best men whom he could prevail upon to serve, without reference to political considerations. The new administrative organization will therefore get under way upon the first of July, 1917, under conditions which promise very well for its success.¹

W. F. DODD.

¹We had hoped to have an equally comprehensive account of the Kansas legislation to the same effect, promoted by the Hon. Arthur Capper, governor of that state, but the necessary data have not been received in time, and so it will not be treated until the July issue.—EDITOR.

North Carolina's Optional City Charter and Municipal Finance Laws.—The North Carolina legislature of 1915 provided for the submission to the people of the state of four amendments to the state constitution, which were adopted by the voters at the November, 1916, election. They contained provisions greatly restricting the powers of the legislature in the matter of local, private, and special legislation, and, in particular, making it the duty of the legislature "to provide by general laws for the organization of cities, towns, and incorporated villages, and to restrict their power of taxation, assessment, borrowing money, contracting debts, and loaning their credit, so as to prevent abuses in assessment and in contracting debts by such municipal corporations."

The act submitting the above amendments to the people provided that, if adopted, they should become effective January 10, 1917. When the legislature of 1917 met on January 3, members introduced and pressed many hundreds of local and special bills which they desired to pass before the constitutional amendments came into force. A large proportion of these bills were measures desired in cities, towns, and villages to authorize local projects or regulations. In view of the avalanche of measures which had to be dealt with in six legislative days, both houses appointed a number of special committees to examine and report on the proposed measures with all possible speed. As the result, some five or six hundred local and special measures became law before January 10, a period in the ordinary legislative session when there would be practically no output of laws.

The North Carolina bar association had, before the legislative session, appointed a committee to prepare a draft of a general law for the organization of cities, which should be advocated in the legislature as a compliance with the requirement of the constitutional amendment. A committee from the Carolina league of municipalities co-operated with the bar association in this work. The joint committee of the two bodies finally agreed on an optional city charter bill and

a municipal finance bill. The former became law on March 6, and the latter on March 5, 1917.

In the main, the new municipal government law continues in force general and special laws which have been hitherto enacted for the government of cities. It contains a comprehensive statement of the powers conferred upon the governing bodies of the cities of the state. Where it confers greater powers than those already possessed by cities governed under special charters, the new powers are supplementary to those already possessed under the special charters. Machinery is provided whereby any city of the state may at its option, by vote of the people, adopt instead of its present system of government one of the general plans of government described in the law.

Plan A provides for city government by a mayor and a city council elected biennially, the council being of from three to nine members, according to the population of the city, elected at large. Nine members are provided in cities of over 20,000 inhabitants. The council has the legislative powers of the city and elects all heads of departments and members of the city boards. The mayor may, with the approval of the majority of the members of the city council, remove heads of departments. The mayor is given the veto power, but he may be overruled by a two-thirds vote of the city council.

Plan B provides for a mayor, with a city council elected partly by wards and partly at large, the council to be composed of eleven or twelve members, varying with the number of wards in the city. Each ward is to have one member, and the remaining members are to be elected at large. The respective powers of the mayor and council are similar to those granted under Plan A, except that the mayor's veto may be set aside by a simple majority of the council.

Plan C is the commission form of government with three commissioners elected by the people to their respective departments. The mayor is to be commissioner of administration and finance, to preside over the board of commissioners, to represent

the city formally, and to exercise a general supervision and oversight over the affairs of the city, reporting delinquencies of officers to the board. The other members of the board are the commissioners of public works and of public safety. This plan includes the initiative, referendum and recall. Two candidates for each commissionership are selected in a primary open to anyone who files proper notice and pays the sum of \$5. The final election is restricted to the candidates nominated in the primary.

Plan D provides for a mayor, city council, and city manager. The council is to consist of five members elected biennially at large. The member of the city council who receives the highest vote is to be mayor. The council possesses all the legislative powers of the city, and appoints a city manager to hold office during its pleasure. The city manager is to be appointed with regard to merit only, need not be a resident when appointed, has full powers to appoint and remove city officers and employes, and is responsible for the administration of all departments. He must report his acts to the council.

Plans A and D may also be submitted to the voters of a city with the addition of the initiative, referendum, and recall.

After providing these plans, the new law goes even farther and give the cities of the state a broad authority to frame charter amendments for themselves, or even to adopt new "home rule" charters which meet their peculiar requirements better than the above plans. Such amendments and charters may be adopted when not in conflict with the constitution and general laws of the state, and machinery for the purpose is provided in the law just enacted.

Charlotte, Durham, and other cities of the state are already preparing to take advantage of the new law. An election on the city-manager plan has been ordered in Durham.

The municipal finance act will be of great importance in securing uniform and systematic financial administration in North Carolina cities. It makes detailed requirements with respect to the preparation

of an annual budget in every city of the state. It places important restrictions upon the borrowing power of cities, regulates the length and manner of bond issues for various city purposes, and the taxing power of cities, and establishes methods to be used in appropriating money.

WILLIAM H. GLASSON.

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Charter Revisions.—*Kansas* is now in line to contribute its share to the advance of the city-manager movement. A law enacted in February applies to cities of all classes, and though an independent act in form, is virtually a supplement of the several commission government laws. Under its terms the number of commissioners is the same as under the commission government law applying to the city, but the salaries of the commissioners are reduced. The city manager is given the usual powers of appointment, removal and supervision.

A peculiar feature of the law is that which gives the city manager the option of requiring the appointment of a civil service commission as established by the provisions of article XVII of chapter 18 of the general statutes of 1915. This would seem to be founded upon an unusual, though by no means indefensible, conception of the merit principle as an administrative aid to the executive rather than as a check against a possible abuse of the appointing power on his part.

The law may be adopted by popular election held upon petition of 25 per cent of the number of voters voting for mayor at the last preceding municipal election. Already the law has been adopted in Wichita and El Dorado (March 10). The action on the part of the former is particularly significant, inasmuch as the "regular" form of commission government has been in operation there.

The constitutionality of this law has been affirmed by the supreme court in the case of the *State v. Bentley*.

In *Indiana* a law permitting cities to adopt either the commission or city-manager form passed the lower house but did not get out of committee in the senate. *Indiana* is still without legislation per-

mitting cities to adopt any form of simplified government.

In *Kansas City*, on March 6, a charter, which provided the city-manager form of government with such modifications as are necessary under the Missouri constitution, was defeated by a vote of 16,181 to 16,119. Four sevenths of the total vote, or 18,457, would have been necessary to carry. The charter was fought by the saloon organization, which controls the congested district where transient laborers congregate, and also by the mayor and his organization, and by a minority of the members of the board of freeholders which drafted the charter. All but five of the wards gave the charter a comfortable majority. The mayor has promised to appoint a new charter board which will be under no obligations. The previous board which brought out the defeated charter was supposedly committed to the mayor's "Kansas City plan," but a majority of them broke away to advocate city-manager government.

Alameda, California, adopted an up-to-date commission manager charter on January 9. This is a residential suburb of San Francisco and Oakland and has a population of about 30,000. The members of the council under this new instrument (five in number) will be elected by a system of preferential voting. A notable feature of the charter is the absence of a detailed list of municipal powers. Section 4 of article 11, which covers the subject, reads as follows:

Sec. 4. Powers of the Council. Subject to the provisions and restrictions in this charter contained, and the valid delegation by this charter of any of the powers hereinafter included to any person, officer, board or committee, which delegation of power, if any, shall control, the council shall have power in the name of the city to do and perform all acts and things appropriate to a municipal corporation and the general welfare of its inhabitants and which are not specifically forbidden by the constitution of the state or which now or hereafter would be competent for this charter specifically to enumerate; and no enumeration or specific statement herein of any particular powers shall be held to be exclusive or a limitation of the foregoing general grant of power. The council shall have the power to delegate any of the powers conferred on or vested in it.

The city manager has the usual powers, except that the appointment of the board of library trustees and of the board of education lies with the mayor, while an auditor and a treasurer are popularly elected and the city attorney and the city clerk are chosen by the council. The city manager may be removed upon a four-fifths vote of the council. The president of the council is *ex-officio* mayor.

The city-manager law passed this year in *Montana* permits the adoption of the city-manager plan by any city by special election called upon petition of 50 per cent of the registered voters. In cities of less than 25,000 inhabitants, the number of commissioners provided for is three, and in all other cities, five. The powers of the commission and the city manager are the usual ones conferred upon such officers, subject to the operation of the initiative, referendum and recall.

The *Idaho* legislature this year also passed an optional commission-manager law available for cities having a population of 2,500 and over. The number of commissioners in any city having less than 15,000 would be five, in those of from 15,000 to 50,000, seven, and in large cities nine. The city manager would exercise the usual powers under such laws. Movements for the adoption of this act are under way in Coeur d'Alene and Pocatello.

The proposed charter for *Tiffin, Ohio*, was defeated on March 27 by a vote of 1,251 to 1,225.

Bryan, Texas, adopted an orthodox commission-manager charter on March 23 by a vote of 287 to 224.

H. S. GILBERTSON.

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Powers of First Class Cities in Washington.—The situation in the state of Washington with respect to the power of first-class cities to deal with their local utilities has not changed materially since the publication of the article on "Municipal vs. state control of public utilities," by Prof. J. Allen Smith, January, 1914.¹ Every session of the legislature has brought forth its crop of bills promoted by the public

¹See NATIONAL MUNICIPAL REVIEW, vol. iii, p. 34.

utility interests and also proposals to place the powers of first-class cities upon a more secure foundation through the adoption of a suitable amendment to the constitution of Washington. Practically all of this proposed legislation in the interests of public utilities has been blocked either through the opposition of the cities before the legislature or through the intervention of the referendum. There has been, however, not the slightest degree of success for the efforts to amend the constitution in the interests of home rule. The legislature represents the rural interests of the state, the urban population being notoriously under-represented in that body, and this in spite of express and mandatory provisions in the constitution of Washington which require a re-apportionment strictly in accordance with population every five years. It may be of interest to mention that the legislature of 1914 passed a certificate of public necessity bill in response to the demands of the lobby maintained by the utility interests. The object which this had in view was to curb the tendency of cities to adopt a municipal ownership program. The legislature also submitted a constitutional amendment which was designed to restrict the right to vote in all cases involving the public credit or public property to tax-paying citizens of the state or the locality. The chief purpose of this was also to discourage municipal ownership by confining the right to vote on such propositions to those who it was thought would be the least friendly towards such a policy. Both of these propositions were overwhelmingly defeated in every county in the state. The certificate of public necessity bill was voted down by 201,742 votes to 46,820. The proposed amendment was also defeated by 180,179 to 88,963.

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Sacramento Sustains Commission Government.—Sacramento, Cal., has defeated by 740 (4,999 for 5,739 against) votes a new charter substituting for the present city commission a mayor and ward council plan. This represented the first organized attempt to abandon the com-

mission charter adopted in 1911. Soon after it went into effect its friends felt the need for providing some harmonizing agency between the five independent commissioners and their departments. Action looking toward such a modification was not taken, however, until early in 1916 when opponents of commission government organized a new charter club with a platform denouncing the present government and declaring for a return to the mayor and council plan voted out in 1911. A counter organization in the form of a business men's league was thereupon launched, in favor of reducing the commission from five to three members and creating a manager of accountancy with duties resembling those of a city manager. Rival tickets were named for the board of freeholders.

A commissionership election was held on the same day as the freeholder election and overshadowed the latter to the extent that over 40 per cent of those voting for commissioner failed to vote for freeholders. The board named consisted of nine members on the mayor and council ticket, four on the charter ticket and two on both tickets. The result was interpreted by the new charter club members as an order from the people to frame a mayor and council charter and accordingly they refused at the outset to listen to any alternative propositions.

The charter which was framed called for a mayor with broad executive powers, a council of eleven nominated by as many wards from among residents therein, to be elected at large, and a superintendent of operations in charge of technical and engineering work, after the plan prevailing in San Diego. An alternative section provided for election of councilmen by wards instead of at large. The article on franchises provided for the indeterminate franchise and also permitted a blanket franchise to be given any existing holder of several franchises and good for the term of the longest franchise then held.

Opposition to the new charter concentrated on the ward system and the franchise privileges. A movement started since the charter election to alter the pres-

ent commission charter has been postponed because of the impossibility of securing the approval of the state legislature before the 1919 session.

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County Government in Wisconsin.—A county commission bill introduced in the Wisconsin legislature has been indefinitely postponed, and those who are in touch with the situation think that the hope of getting any legislation of the kind through the present legislature is remote. One difficulty in that state is that most of the members of the legislature have been members of county boards. They are recruited from these rather than from city councils or from other public offices. Therefore in the judgment of close observers it will be a slow process to get the legislature very materially to modify the county board system.

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Proportional Representation.—On December 11, 1916, Calgary, Alberta, acting under authority granted by the recent act of the provincial legislature, adopted proportional representation for the election of its governing bodies. The campaign for the reform had been begun early in the fall by a committee under the leadership of W. D. Spence. The result was the ratification of the by-law by a vote of 2,840 to 1,374. On December 13 the by-law was formally passed by the council and signed by the mayor, as required by the act of the legislature, and it is therefore now in effect for all future city elections. The system adopted is the Hare system.

Though not directly bearing on city affairs, the report of the British conference on electoral reform is of great interest to all students of government. The conference, which was appointed in August, 1916, by the Asquith government, included leading members of all the parties. Its report, made public on January 27, recommended several radical changes in British electoral methods. One of the most important, on which the conference was unanimous, was that the members of the House of Commons from the larger cities and the universities should hereafter be elected by the Hare system. It is

expected, of course, that the unanimous recommendations of this conference will soon be enacted into law.

C. G. Hoag, general secretary of the proportional representation league, made a tour of the middle west in the interests of proportional representation in January, February, and March. His addresses were mostly before city clubs, chambers of commerce, and organizations interested in new city charters. Among the city clubs addressed were those of Cleveland, Chicago, St. Louis, and Cincinnati. He found the sentiment in favor of proportional representation much stronger than he expected. The reform is now more or less an issue in a number of cities, including Jamestown, N. Y., Cleveland and Hamilton, Ohio, Kalamazoo, Brainerd, Minn., Vermillion, S. D., St. Louis, and Lincoln, Neb.

In many places where the commission-manager plan is an issue, those who oppose the plan on the ground that it is not completely democratic readily accept it if it is to rest on the basis of a council elected by the proportional system. Thus in some places it appears to be actually easier to carry a manager plan charter with proportional representation than without it. An instance of this situation is furnished by Jamestown, N. Y. There the manager plan movement was at first actively opposed by Mayor Carlson, whose influence is indicated by the fact that he has been elected mayor five times. But when Mr. Hoag, in an address under the auspices of the Jamestown charter committee of one hundred, advocated proportional representation in connection with the manager plan, the combination was readily accepted by Mayor Carlson as well as by prominent advocates of the manager feature.

ALBERT B. MARIS¹.

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The Missouri State Public Service Commission has set aside special water rates to manufacturers fixed by the St. Louis board of aldermen. The rates are

¹ Assistant secretary, American Proportional Representation League.

not actually suspended, time being given to revise them.

The complaint was brought by the civic league of St. Louis on the ground that the rates were unjustly discriminatory, for they provided a charge for water for manufacturing purposes three times as low as for the same quantity for other purposes. The special rates were passed unanimously by the board of aldermen and supported by most of the newspapers, on the ground that it was a good thing for the city to encourage manufacturing by lowering water rates, even at the expense of the public.

As a result of the commission's decision the St. Louis board of aldermen and city officials from Kansas City and St. Joseph have determined to ask the legislature to amend the public service commission act, to take from that body entirely any power over the rates or service of municipally owned utilities.



St. Louis's Free Bridge.—After eleven years of controversy St. Louis opened her municipal "free bridge" to street traffic on January 20. The bridge was started in 1906 as a means of abolishing the trans-Mississippi tolls on passengers and freight. Every other bridge crossing the river at or near St. Louis is controlled by the Terminal Railway Association, composed of all the railroads entering St. Louis. Tolls are still charged.

The railroad deck of the bridge will not be finished for another year. Unforeseen engineering and financial difficulties delayed the completion of the bridge far beyond the period anticipated. It promises, however, to be the central point in an elaborate municipally-owned railway terminal system, which is being gradually developed through the acquisition by the city of tracts leased out to the railroads.



Milwaukee Division of Motor Vehicles.—The recent move of the city of Milwaukee in creating a central division of motor vehicles and municipal garage, is in line with the basic principle of all scientific management. It recognizes the func-

tional theory in organization and management.

The central division is a part of the bureau of bridges and public buildings and controls some forty of the city's sixty odd cars. Some of these cars are kept in the central garage; others at various outlying stations. Some cars are especially assigned while others are livery cars for the use of various departments.

The theory upon which the plan is based is broader than that of a mere garage since it is planned ultimately to include the supervision of all motor vehicles whether kept in the garage or not.

Some savings will be made through better use of cars, but the largest gains are anticipated through better operation and maintenance and the purchase of less expensive cars for inspection work.



Increased Salaries for Dayton's Employees.—In drafting the 1917 budget, Dayton allowed an increase of about \$25,000 over 1916 in salaries, while additions in number of employes bring the total increase to \$60,000. These increases are made in recognition of the increased cost of living; in accordance with the salary standardization of the civil service board; and because of greater responsibility of some officials and their better acquaintance with their work, due to three years' successful experience under the commission-manager form of government.

The rules of the civil service board provide for salary increases after six months if the employe fills the position satisfactorily. The amount of increase is \$60 per year, in most cases. The salaries of 132 policemen and 151 firemen were increased from \$960 to \$1,020 per year.

A number of salary increases were granted in the unclassified service, which includes the heads of departments and divisions and executive officers of boards appointed by and responsible to the city commission. Increases in salary from \$2,400 to \$3,000 were allowed the superintendent of streets, superintendent of water, and the city purchasing agent. Increases from \$2,400 to \$2,700 per year were given the clerk of the commission, secretary of

the civil service board, and secretary of the city manager; and an increase of \$2,700 to \$3,000 to the city engineer. Through promotion and reorganization of force, a number of employees will receive salary increases amounting to a few hundred dollars each.

Reports from other cities in Ohio, notably Toledo and Akron, indicate that those cities were forced to reduce both the salaries and the number of employees, while Dayton is able to proceed with its usual activities and still make merited salary increases. This condition is made possible almost entirely by the increased revenues arising from a business-like management of municipal undertakings. The anticipated revenues from the water works utility are \$21,000 greater, and from the garbage reduction plant \$50,000 greater than last year. The city will receive only \$45,000 more from taxes than was received last year, but its anticipated revenues from all other sources are \$107,000 greater.

C. E. RIGHTOR.

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Chicago's Department of Public Welfare and Morals Commission.—For several years Chicago has endeavored to maintain a department of public welfare, largely as a football in politics. Following the vice commission of which Dean (now Bishop) Sumner was chairman, a morals commission was authorized, but this, too, seems to have met obstacles which have interfered with its development. As a result the bureau and the commission are now "flat," to use a Chicago expression, because the finance committee of the council has failed to appropriate money for either. Editorials in leading papers concerning these two bodies maintain that they have accomplished nothing of real significance, and that in the case of the morals commission some of the ill-advised acts of the secretary have brought the commission into disrepute. The last thing the latter did was to write on the commission's letterheads an endorsement of a play then running in the city about which there was considerable doubt.

7

The department of public welfare has produced a study of public comfort stations which is said to be commendable, and a charities directory, as well as a loan shark number of its bulletin. This latter piece of work was actually done by a post-graduate student at the University of Chicago, although adopted by and published by the bureau.

At no time has the bureau had the support of the social workers of the city.

Concerning the morals commission, a correspondent says: "The commission at the request of the finance committee submitted a résumé of its work during the last year. It was a pathetic rehearsal of childish looking for something to do, of taking up one field after another and general problems which were illy defined and never completed. It is a notable fact that literally none of the social, religious or civic agencies of the city has said a word in defense of either department."

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An Anti-Bootleg Ordinance.—Experience in Denver, as well as in other municipal centers throughout the country where state-wide prohibition has been established, has shown that this reform imposes a very serious duty upon a large city. It is the city, with its wide opportunities for concealment of traffic, that appeals most strongly to the bootlegger. The police force, however well disciplined and alert, finds itself battling with almost insuperable obstacles under such circumstances.

Denver was inflicted with the usual calamities attendant upon bootlegging when the state went dry on January 1, 1916. The police court was crowded with law violators, who peddled injurious liquors, highly adulterated with wood alcohol. A conviction in police court meant an immediate appeal to the county court, and the bootlegger went on operating as before. By the time his case was decided in the higher court he had made several times the amount of the fine assessed. The district attorney filed informations in the criminal court, but found it almost impossible to secure a jury which would find the bootlegger guilty. Dockets of all

these courts became clogged and the bootleggers merrily proceeded.

It was when this situation had been reached that the municipal authorities decided to treat the matter from a health standpoint. An ordinance was drawn declaring the importation of poisonous and adulterated liquors into Denver to be dangerous to the life and reason of the inhabitants. The ordinance then provided that all liquor brought into the city should be inspected by a bureau of the health department before it could be used by the recipient. In order to work as little hardship upon those shipping liquor into the state for home use, under the provisions of the dry law, the city administration provided that transfer and express companies should furnish a list of all liquor shipments received. The ordinance did not interfere with interstate commerce.

Mayor Robert W. Speer recommended the adoption of the bill and it was speedily put into execution as an emergency measure. Complaints from the shipping companies were met with facts furnished by the county hospital and by reliable physicians, which proved conclusively

that bootleg whiskey had caused insanity, blindness and other physical ills.

At first there was some complaint, but it came entirely from those interested in some way in delivering the goods, or selling them. The public instantly recognized the necessity for the law and supported it. The carriers fell in line within a few days and even gave the city inspectors the right to place a man in their offices to examine the shipments. Transfer companies sent notices to outside shippers that they would receive no more contraband liquor and several of the distilleries sent notices to customers advising them that liquor would be sold to them in the future only when subject to inspection by the municipal authorities of Denver. After several months' test it appears that the ordinance is a success. A practical result has been that fees for inspection are paying for the cost of administration, thus making the liquor traffic justly pay its way. The cost of police administration had become approximately \$50,000 a year for bootleg suppression alone, when the ordinance was adopted.

W. H. SHARPLEY, M.D.¹

II. POLITICS²

The Recall in Lawrence, Kansas.—The present Mayor Francisco was chosen when commission government first went into operation. At the primary before the election he was the dark horse. His own friends did not believe he could be one of the candidates. But because of the splitting up of the electorals he was one of the two highest on the primary ballot. His opponent was a comparatively short-time resident, the old political crowd rallied to Francisco's support, and he was elected by a fair majority. He had the backing of many about town who had known him as the proprietor of a local livery business.

He drew the short term and came up for re-election after a year's service.

Again the field was free of candidates. The substantial voters supported three or four different candidates any one of which would have satisfied the voters better than Francisco. Together they polled a large proportion of the vote but as luck would have it the mayor was nominated along with a small bore lawyer whose chief financial interest is in a string of very poor residences in the east end rented to negroes. So works the non-partisan primary! A preferential ballot might have saved the day.

The voters were thus compelled to support the mayor against the other candidates and enough did to elect him. Many refrained from voting. During the campaign a strong movement for writing in another name appeared but fearing that this ruse would work to the advantage of the less desirable candidate many discouraged it.

¹ Manager of health and charity, Denver, Colo.

² Unless otherwise indicated, the items in this department are prepared by Clinton Rogers Woodruff.

The mayor was re-elected. Thereupon a combination with the commissioner of finance was formed and these two have been the government since. The commissioner of public utilities, more capable and probably more devoted to the city's interest, has been outvoted and systematically discredited. That he has a following in the town, however, is shown by the present movement to recall Mayor Francisco.

There is at this writing a petition on the table in the city hall, signed by one fourth of the qualified voters (over one thousand) asking for a recall upon the mayor and offering a retired confectioner as the opposing candidate. This petition cites incompetence and incapacity on the part of the mayor. His record in the police department is quite unsatisfactory. When it was presented the commissioner of utilities offered a motion to receive it and call an election. This was voted down. The mayor, upon advice of the city attorney, offered a motion to table it. This was passed 2 to 1.

The justification for such action is found in the conflicting recall provisions of the Kansas law. In 1913, the state adopted a constitutional amendment which provides that the signers of a recall petition must certify that they voted for the officer sought to be recalled. The earlier law of commission government had no such limitation, and it is under this law that this petition was filed. The city attorney and the mayor's attorney hold that the amendment repeals the law though there has been no court decision upon this point. The administration thus puts the burden of having the election called upon the signers of the petition and refuses to make any further move. Some of the petitioners seem inclined to take the question to the courts.

C. A. DYKSTRA.

✱

Seattle's Mayor in Trouble Again.—Mayor Hiram C. Gill of Seattle is in trouble again. This time he has been indicted along with his chief of police and a former sheriff for conspiracy to violate the interstate commerce and federal liquor

laws and for an acceptance of bribes in connection with that conspiracy. Concerning this interesting event, *The Independent* (New York) is responsible for the following statement:

Mayor Gill was recalled from office in 1910, ran again unsuccessfully in 1912, was elected again in 1914 by a majority as the candidate of the reform forces, and re-elected to a third term last March. During the past year Mayor Gill has enforced the prohibition law with severity and effectiveness. By his activity against the liquor traffic since his return to office he has earned the whole-hearted support of the "dry" interests and the equally hearty hostility of the "wets."

It is true he has been indicted by a federal grand jury, on the charge of accepting a bribe from a firm of druggists for protection in the illegal selling of liquor.

But when it is known that the complainants and chief witnesses against the mayor are the druggists in question, whose stores Mr. Gill had raided, the case looks not quite so clear against him. In the course of the raid casks and bottles containing over two thousand gallons of liquor had been smashed and the liquor thrown away. Both druggists on their own plea of guilty have been convicted of the illegal sale of liquor.

There the case stands. In common with all good citizens, we shall assume Mayor Gill to be innocent until he is proven guilty. . . . In fairness to Mayor Gill we should reiterate that he has the steadfast support of the prohibition forces in Seattle and the bitter hostility of those who are attempting to carry on the surreptitious and illegal sale of liquor.

A local authority makes the following statement with regard to him:

Mayor Gill's recent career has been stormy. In March, 1910, after he had been in city politics twelve years most of that time as councilman, Gill was elected mayor of Seattle. Almost immediately his administration was assailed for alleged toleration of vice, and in the spring of 1911 Gill was removed from office by the recall, with women voting for the first time. Subsequently Charles W. Wapenstein, his chief of police, was sentenced to the state penitentiary for accepting a bribe. Gill ran for mayor in 1912, asking vindication, and was defeated; but in 1914 he was elected mayor by a majority, running as a good government candidate, and being supported by many persons who were prominent in the movement that recalled him. Gill was re-elected mayor in March, 1916. When

the prohibition law was adopted Gill promised that it would be rigidly enforced, and raids upon bars at which liquor was sold in violation of law resulted in demolition of fittings valued at nearly \$100,000 and seizure and demolition of vast supplies of liquor. Gill has been a champion of the prohibition law, writing and speaking in its favor and receiving much commendation from prohibition leaders.¹



Proposed Charter for San Diego County.²—The principal objections urged against the San Diego county charter were: "First and foremost, that it was 'un-American' in that it disfranchised the voter and deprived him of his inherent and much beloved right to select his servants by ballot; that appointing officials and the use of the short ballot, while it might do for a principle in private matters, was inherently wrong when applied to the public business; second, the machine—that the provision for the governor's appointing the supervisors (there are five under the present law) would turn the business of the county over to the governor's personal representative, who would thereby at one stroke become the grand political boss, also that the manager appointed by a board thus composed would be little more than a political arranger, who with the aid of civil service would find his way paved with roses of gold, with few possible thorns of interference; that the board of welfare provisions tended to a dangerous centralization of power that would build up a medical trust, and that the civil service provisions were almost criminally bad and the three commissioners proposed were in the near political speeches dubbed 'the three wise men.'"

These reasons which are set forth by a careful observer of events in California would seem to indicate that even there the old political philosophy is pretty firmly entrenched, and that progress is by no means a thing of easy accomplishment.

The same correspondent expressed his opinion that the real reason for the defeat of the charter was the reduction in the pay

of the present supervisors who now receive in salary and fees \$3,000 a year. This would have been cut down to a \$400 maximum under the proposed charter. To be sure it relieved them at the same time of practically all the duties for which their present pay is presumably given. In the words of this observer, "Had the charter remained as drawn in every particular save one, and that one had been a change to a flat salary of \$3,500 a year for supervisors, it would in my belief have been adopted."



Municipal Progress in Leading Michigan Cities.—The voters of *Grand Rapids* having adopted a charter embodying some of the essential features of the city-manager form of government at the election of April 3, showed great discrimination in their choice of men to carry the plan into effect. "It is a better body of men," in the words of the *Grand Rapids Herald*, "than even the most optimistic proponent of government had dared hope for. All of the new commissioners are able executives. Each has been successful in his chosen field and each has enjoyed that experience which fits him for a place among the board of directors of such an enormous corporation as the city of *Grand Rapids*." It is interesting to note that the new council has under consideration among others the name of Henry M. Waite as its first city manager.

In *Kalamazoo* the issue was the election of a charter commission, and as a result of the educational campaign carried on by the new charter league, an unusually capable and experienced group of men was elected.

In *Detroit* the voters decided to separate municipal elections from state and national ones, and elected a progressive board of education as has been noted elsewhere.



Detroit School Board.—Last August at the regular primary election the electors of *Detroit* voted to substitute a seven-member board of education elected at large for the 21-member school board elected by wards. Women as well as men are eligible both as members and as

¹Since this note was written Mayor Gill has been acquitted.

²See NATIONAL MUNICIPAL REVIEW, vol. vi, p. 277.

voters. At the primary election on March 7, 64 candidates were offered on party tickets, seven to be nominated by each party. From the nominations thus made the voters elected a new board on April 2. With the help of the citizens' school board committee, whose organization was in a measure inspired by officers of the Detroit citizens' league, a fine field of capable candidates was secured. As a result of the election on April 2 the committee's recommendations were followed by the voters. In the words of W. P. Lovett, executive secretary of the Detroit citizens' league, "It was a unanimous victory for the forces of progress and shows what can be done by careful co-operation and persistence. Without question our new school board will enter its large task under very favorable auspices, and we will have a chance to try out the new plan with promise of success."

✱

Pastoriza Elected Mayor of Houston.—On February 23, J. J. Pastoriza was nominated at the Democratic primary for the office of mayor of Houston. This is equivalent to election. Pastoriza, who has been a commissioner for a number of terms, was opposed by the big daily papers and by the big interests, but his platform

of "Let the people rule" proved effective. Commissioner Pastoriza has been a conspicuous advocate of the single tax. The vote, which was a preferential one, was as follows: Pastoriza, 6,290; Robinson, 5,213; Vann, 4,277; Masterson, 1,971.

✱

Colorado Springs Election.—The voters of Colorado Springs defeated the proposition to go on a city-manager basis, by voting by a vote of 2,521 for the proposition to 3,588 against the proposition. This is properly regarded as a very interesting result of a campaign which lasted only three weeks. At the same time they voted to annex Colorado City, that community voting to the same effect. Charles L. McKesson, who for four years has been mayor of the city, was defeated by a partisan candidate, the mayor running on a non-partisan ticket..

✱

Woman's Suffrage in Ohio.—The supreme court of Ohio having sustained the provision of the new charter of East Cleveland giving women in that municipality the right to vote, other Ohio cities are planning to give the votes to women in municipal elections, Springfield being the first to take steps to avail itself of this privilege.

III. JUDICIAL DECISIONS¹

Rate Regulation.—In *Woodburn v. Public Service Commission*,² the supreme court of Oregon decided that the right to regulate telephone rates is a matter for the public service commission because it is of general concern. Notwithstanding the fact that Woodburn enjoyed home rule and had granted a franchise to the company, the court held that the constitution does not extend the power of municipalities over subjects not properly municipal and germane to the purposes for which municipal corporations are formed; that the possibilities of the exercise of the police power of the state is an implied term in the

contract, and, therefore, does not work an impairment of the obligation of the contract.

✱

Referendum — Sunday Baseball.—In *Levering v. Board of Supervisors*,³ the court of appeals of Maryland decided that the statute⁴ relating to referenda applies only to matters referred to the people by the legislature, such as local option, and not to a city ordinance permitting amateur athletic games on Sunday afternoon. There is no authority in the city charter to refer such questions to the people.

✱

Adverse Possession.—The general rule is that title by adverse possession cannot

¹Unless otherwise indicated, the decisions are those of the court of last resort in the state mentioned.

²161 Pacific 391.

³99 Atlantic 360.

⁴Code Pub. Civ. Laws, article 33, §54, 55, 57.

be acquired against a municipal corporation while it is acting in its governmental capacity. The authorities, however, are divided on this point. But where a city is acting in its corporate or proprietary capacity a person holding a piece of property by adverse possession can acquire an indefeasible title. In *Robinson v. Lemp*,¹ Boise City was estopped from asserting any title or claim to certain land not used for governmental purposes.²



Public Garage and Zoning.—In *Dangel v. Williams*,³ the court of chancery of Delaware held invalid an ordinance prohibiting the erection of public garages in the residential section of Wilmington without the consent of the adjoining owners as an unreasonable, unwarranted and not uniform delegation of the power to make building regulations. The police power granted by the city charter must be exercised by the legislative branch and cannot be delegated to an individual. This is in line with a rather narrow construction by the Delaware courts of the meaning of delegation of legislative power.



Exemption from Liability for Park Accidents.—In *Cornelisen v. Atlanta*,⁴ the court of appeals of Georgia, sustaining the decision of the supreme court⁵ held that where a city maintains a park primarily for the use of the public, intended as a place of resort for pleasure and the promotion of the health of the public at large, its operation is in virtue of the governmental powers of the municipality and no municipal liability would attach to the non-performance or improper performance of the duties of the officers, agents, or servants of the city in respect to keeping the park safe for use by members of the general public. It would not affect the public character of the duties of the officers, agents or servants of the city that a purely incidental profit might result to the city from its operation or management of the

park. But if the city, having charter authority, maintained the park primarily as a source of revenue, the duty of maintaining it in a safe condition for the use for which it is intended would be ministerial, and municipal liability would attach for breach of such duty.



Streets as Playgrounds.—Two boys were killed by the caving in of a sewer trench which a village was constructing through the centre of its principal street. The trench was open and uncurbed; the soil was sandy and liable to cave. The boys were playing on the street, although a playground was close by. The contractor knew that the boys played around the trench and warned them away whenever he saw them. Nobody saw them at the time of the accident. In *Barrett v. Village of Princeton*,⁶ and in *Jesmer v. Same*, the supreme court of Minnesota held that the boys were not trespassers and that the village would have been liable had there been evidence of negligence. There are two lines of cases on this point and this decision joins those holding that even if streets are used for play, the children are owed a duty of care.⁷



Punishment by State and City for Same Offense.—In *Shreveport v. Nejin*,⁸ it was decided that the city council had the right to declare a "blind tiger" a public nuisance and to order it abated with penalty. The defendant was convicted under an ordinance which was upheld⁹ and was declared to have been repealed¹⁰ by a state law upon the same subject, only in so far as the two were inconsistent. The chief justice in a long opinion dissented, saying that since the city is only an agent for the state the question of double punishment by the same sovereignty is raised. He pointed out that punishment by the United States and by a state of the same person for offenses against both is quite different.¹¹

¹161 Pacific 1024.

²Virginia Law Review (March, 1917) 492.

³99 Atlantic 84.

⁴91 S. E. 510.

⁵91 S. E. 415.

⁶160 N. W. 190.

⁷Columbia Law Review (March, 1917) 252.

⁸73 Southern 313.

⁹134 Louisiana 490.

¹⁰136 Louisiana 770.

¹¹Virginia Law Review (March, 1917) 488.

Municipal Regulation of Street Car Fares.—In *Willis v. Rochester*,¹ the New York laws of 1915² amending the charter of Rochester³ and providing for regulation of fares on street cars was held not to be unconstitutional as taking property without compensation. The court said: "As the rate of fare is a matter of municipal and public interest, it would not be so very extraordinary to find in a city charter some regulation of the terms and conditions upon which street railroads should operate, which might include the fixing of rates of fare." The amendment in question was annexing the village of Charlotte and taking over three miles of the right of way of the trolley company. Subdivision 2 of the act of 1915 provided for a 5 cent fare for a continuous ride to any part of the city, including the annexed portion.

In view of a recent decision of the United States supreme court, this New York case, if taken up on appeal, may go the other way. In the cases of the *Detroit United Railway v. Michigan* and the same against Detroit, decided on December 11, 1916,⁴ Mr. Justice Pitney said: "We still think that the acquisition of the city lines by the plaintiff in error, and its subsequent acquisition of the suburban lines, did not bind it to put the reduced fare provisions in effect upon the suburban lines if and when the city limits should thereafter be extended to include any parts of the latter."

Because of section 10 of article 1 of the constitution of the United States, the court said that it was not within the power of the state, by subsequent legislation, to impair a contract, and since the judgment of the state supreme court⁵ gave that effect to the annexation acts of 1905 and 1907, and to the ordinance of 1889, so as to impair the obligation of a contract, the judgment of the Michigan court against the street railway was reversed. Mr. Justice Clarke and Mr. Justice Brandeis dissented. The former said: "The pass-

ing of the valid extension act merely created a situation under which the implied condition existing in the fare contract from beginning, finds an application to the new territory." He held that no federal question was before the court, since the contract clause protects against decisions of courts only when such decisions give effect to a constitution adopted or law passed subsequent to the date of the contract. The decision of the supreme court of Michigan in his opinion gave effect not to the terms of the extension act but to the contract between the city and the street car company, and the most that can be said is that the court gave an erroneous interpretation of the contract.

*

Public Use.—In *State v. Omaha & C. B. St. Ry. Co.*,⁶ the trolley company was obliged to move its wires so that a house could be moved along the street. Under a general ordinance requiring temporary removal of poles and wires, moving a building was held to be a public use of the street. The company had to pay the expenses of removing the poles and wires.

*

State Control of Municipal Water Supply.—The city of Helena, in *Public Service Commission v. Helena*,⁷ declined to submit to the supervision of the public service commission over its water system and the lower court sustained the city. It seems that the city under article 13, section 6, of the Montana constitution empowering the legislature to authorize an extended indebtedness for public water supply, providing the city owns and controls the works, had invested in a water system and was claiming exemption from control and regulation of the public service commission, created by the laws of 1913, chapter 52. The court held that the city was acting in a proprietary not in a governmental capacity, and was therefore exempt from the control and regulation of the state commission.

¹ 114 N. E. 851.

² Chapter 359.

³ Laws of 1907, chapter 755.

⁴ Number 1 and number 4 of the October term.

⁵ 173 Michigan 314.

⁶ 161 N. W. 170.

⁷ 159 Pacific 24.

State and Municipal Officer.—In *State v. Jost*,¹ a police detective who was appointed for three years under the safeguards thrown about his position by state law and was paid by the city, but who could exercise authority in any part of the

state, was held to be both a municipal and state officer within the meaning of the constitutional provision² forbidding increase of compensation for such an officer during his term.

ROBERT EMMET TRACY.

IV. MISCELLANEOUS

The Civic Advisory Committee of the Mayor of Milwaukee.—"Milwaukee is the first American city successfully to work out a method by which its city government and its citizens who are interested in municipal affairs are brought directly in contact." This quotation (from Mayor Hoan's statement to the press at the close of 1916) refers to the mayor's advisory committee which was organized primarily to advise with him upon questions touching the majority of people in Milwaukee. He had previously stated that he felt the need of getting in touch with all classes if he was to represent the whole city, and that if he could secure an organization through which the facts could get to the people, it would have a wholesome effect upon the opposition in the common council.

Milwaukee has an uncommonly large number of civic organizations to furnish a nucleus for a civic cabinet. The mayor invited such of these as were interested primarily in better city government to select representatives upon an advisory committee. Over thirty organizations sent their representatives to the first meeting, nearly all sending their presidents. In this call, it was stated that such a committee would be requested to investigate various subjects which might engage the public attention or call for governmental action.

The mayor has uniformly followed the committee's advice, and the common council in most cases has confirmed the action of the committee. The interest shown by the members of the committee is evidenced by the fact that the attendance at the regular monthly meetings has averaged 80 per cent of the total membership.

¹ 191 S. W. 38.

² Article 14, section 81.

Some of the recommendations made are:

That the mayor request the public land commission to make a complete city plan and to take steps to employ a paid secretary.

The council has since created this position and a permanent secretary is now employed.

That the mayor request the public land commission and the city attorney to advise as to what legislation is necessary to assist the commission in carrying on its work, in order that the committee could take the necessary steps to have such legislation enacted.

Legislation is now pending before the legislature which will materially assist the commission in its work.

That the mayor veto the \$75,000 bond issue for the McKinley bathing beach.

This issue was vetoed and the veto subsequently sustained.

That the mayor use his good office to have a member of the city planning commission serve on the lake shore commission.

That the mayor together with a committee of seven from the advisory committee request the park board to adhere to the general plan of city lighting already adopted by the city, in the matter of the lighting of the city parks.

The park board has tacitly agreed to this recommendation.

That the mayor veto the ordinance changing the election laws so as to provide extra registration days.

This was done and the veto sustained.

That the committee oppose the ordinance taking from the mayor any more power with regard to appointments and that the council sustain the veto on the ordinance.

The council failed to pass this resolution over the mayor's veto.

In addition to the executive board, special committees are appointed to investigate those matters which are of

sufficient moment in the eyes of the committee as to warrant special investigation. Among such questions considered are, city planning, city beautifying, legislation, park lighting, river and harbor improvements, street paving, traffic regulations and salary revision.

The work of the committee has conclusively shown that it can be developed into a beneficial and helpful organization. The great majority of citizens who are actively interested in civic affairs have been brought into close touch with the city government through the representatives of the civic societies. There is no one thing which will tend to bring about charter reform quicker than the organizing of this committee, for the unwieldy workings of the present city government are now clearly exposed to those who are most anxious for the improvement of municipal government.

JOHN F. PUTNAM.¹

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Housing for Wage-Earners.—Our belated recognition of the fact that the immigrant ignored does not become thoroughly Americanized as rapidly as we could wish, has led to a recognition of the further fact that the kind of dwelling we often provide for him and his family tends to retard rather than hasten the process we believe so desirable. So the National Americanization Committee has held a housing competition designed to secure from architects and builders in all parts of the country plans and specifications that would prove the practicability of better dwellings. The committee assumed as the place where the dwellings were to be erected an industrial community of 35,000 population. It further assumed that the density of population was not to exceed 65 persons per net acre and that the site would be level. Three types of dwellings were called for: First, a single family house; the second type was a single family house similar to the first except that two more bed-rooms and a bath-room were to be provided for lodgers, two to each bed-room. The lodgers and

the family were each to have their own entrance from out-of-doors; the third type was the large boarding house for thirty lodgers, two in a room. The family and servants' part of the building was again to be separated from that of the lodgers with no means of communication except through the dining-room. In all cases there was to be provided 50 square feet of floor area per person in each bedroom and a window area not less than one eighth of the floor area.

Three hundred and sixty-nine designs were submitted in the competition and first and second prizes of \$300 and \$100 were awarded for each type of dwelling. The jury in making these awards was guided by considerations of sanitation; convenience and comfort; privacy; economy of construction and maintenance; esthetic values.

The interest excited by the competition has been even more widespread than was anticipated, and, as many of the designs contain suggestions valuable not only in the comparatively restricted field of immigrants' housing, but also in the wider one of wage-earners' housing generally. *The Architectural Review* is devoting two numbers to them, republishing not alone the prize winners, but many of the others, together with critical and explanatory articles.

JOHN IHLDER.²

✱

Fights on the Social Evil in San Francisco, Louisville and New Orleans.—An active campaign under the leadership of Rev. Paul Smith has been carried on in *San Francisco* for several months in co-operation with the law enforcement league of California, which is affiliated with the American Social Hygiene Association, Inc. Bishop Sumner of Oregon, who was chairman of the original Chicago vice commission, has also been co-operating. Mayor Rolph has appointed a vice commission of 25 members to investigate, study and make recommendations upon vice conditions in San Francisco. He has also appointed a committee of five at the request of the police commissioner to find

¹Director, Milwaukee citizens' bureau of municipal efficiency.

²Secretary, Philadelphia housing association.

employment for prostitutes thrown upon the streets by reason of the district attorney's order closing all houses of prostitution in the city.

In *Louisville* the mayor has followed the recommendations of the vice commission and is fighting commercialized vice, with the result that the number of registered houses and inmates has been steadily decreasing.

In *New Orleans* evidence has been produced that segregation really does not segregate, a newspaper reporter finding numerous houses of ill fame located outside of the district. A committee of 28 members named by the officers' league of Louisiana has been appointed as a nucleus for a committee of one hundred to secure law enforcement in the city. One result of the agitation has been that the commissioner of public safety has enforced existing statutes more vigorously than for many years.

✱

Dallas's Second Annual Exhibit.—The motto of the second annual municipal exhibit of Dallas was "the dollar that you spend in taxes buys more for you in Dallas than any other dollar you spend." The exhibit was built up around this idea and awakened thousands of citizens to a realization of what the administration of the city's affairs mean to them. In the words of Elmer E. Scott, director of the department of public welfare:

It is a fact that a large number of unthinking citizens pay their taxes under bitter protest, more or less expressed. This protest is the outgrowth of old municipal mismanagement. They are not aware that a new spirit of efficiency is growing in some American cities, that their tax money is not simply paying the salaries of expensive "chair warmers," but that the wise expenditure of the taxpayer's money is what throws the protecting mantle over the life, health, property and morals of the whole community, and which provides for the community most of its education, recreation, and adds immeasurably to convenience and comfort.

In this way, then, the municipal exhibit in Dallas has been of extraordinary value, and the interest of our people is aroused in the method of expenditure for their benefit, and this interest will gradually take the place of ignorant criticism.

It is difficult to give much of an outline descriptive of an exhibit. The exhibit itself really is presumed to be a very large volume of detailed information presented in tabloid form, and being already so condensed, a further condensation can only be brought about by eliminating a large percentage of what is most interesting and valuable.

✱

Dayton Propaganda.—Commissioner Switzer of Dayton has been continuing his admirable propaganda work for the Dayton plan.¹ Since the Springfield meeting of the National Municipal League he has spoken in the following cities with a large degree of acceptance: Pittsfield, Mass.; Fitchburg, Mass.; Glens Falls, N. Y.; Xenia, Ohio; Louisville, Ky.; Richmond, Ind.; Bluffton, Ohio; Springfield, Ill.; Athens, Ohio; Troy, Ohio; Evansville, Ind.; Louisville, Ky.; Clarksburg, W. Va.; Miamisburg, Ohio; Wooster, Ohio; Schenectady, N. Y.; Harrisburg, Pa.

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Mostly "Pork!"—Under this striking head, Charles Harris Whitaker, editor of the *Journal of the American Institute of Architects*, has presented in that *Journal* the result of a careful survey of the system of appropriating money for public buildings by the United States congress in what is known as the "Omnibus Public Buildings Bill." The showing is astonishing, amusing, serious, disagreeable, and a painful comment on local selfishness and representative incapacity. Appropriations are made for public buildings in this fashion without intelligent regard of the need for such buildings, or of the propriety of the locations for the buildings which are needed. These appropriations total more than thirty-three million dollars, and are partisan in character to the extent that there is a distribution of "pork" on the basis of one-third to the Republican side of congress, and two-thirds to the Democratic side.

This carefully made survey, which includes statements of the population of the communities involved over three census periods, and the post office receipts as last reported, has been worked up by Mr. Whitaker in the hope of starting action

¹See NATIONAL MUNICIPAL REVIEW, vol. v, p. 679.

toward the institution of "A wise public-building policy, framed after an expert investigation and study of all the factors by a commission of trained men." It is probable that should such action be taken, there would be saved to the government annually a larger sum than is now provided by the disagreeable and unpopular income tax; and at the same time, public buildings would not only be better in character and suitability, but would be placed where they are needed.

J. HORACE MCFARLAND.



Reclamation of St. Louis River Front.—Definite steps to utilize the Mississippi river, after decades of neglect, have just been taken by St. Louis in constructing permanent modern docks on the river front. The move follows the turning over to the city of practically the entire river front and a double line of railroad tracks, through the expiration of railroad franchises in December, 1915. The new docks provide an entirely new system of loading and unloading freight by means of cranes, and are the first step away from the age-old system of carting freight up and down the levees. A new steel barge line for handling freight in the new way will be on the river by spring, and the shippers of St. Louis have agreed to ship a sufficient tonnage to make the new plan a success. St. Louis is co-operating with other cities up and down the river in getting the new system into operation.

In connection with the municipal bridge across the Mississippi, which will be opened within a few months, it is expected that the municipal ownership of these means of transportation will not only break the hold which the railroads have had on St. Louis transportation, but will also inaugurate a new and far-sighted policy in the development of the whole industrial district.



Unnecessary Noises in Pittsburgh.—The civic club of Allegheny county in the course of its anti-noise campaign has received complaints regarding the following nerve-racking sounds:

Open muffler cut-outs, noisy motor cycles, stationary gas engine exhausts, over-use of auto horns, long continued ringing of bells, flat wheels on street cars, slamming of doors in street cars, early morning noises of milkmen, rattling of garbage cans, newsboys (especially Sunday mornings), beating of carpets, roller skates and "skidmobiles," auto engines running while car is at rest, whistles (locomotive and factory), defective or loose street car gear, noise in hospital zones, chickens in residence sections, barking and howling of dogs at night, rattling of heavy wagons over stone pavements.

In a circular it declares that "many of the above noises can be entirely eliminated and the rest can be much reduced, to the injury of no one and the gain of all in health, comfort and efficiency," and then asks the question, "How much noise can you stop?"



The Feasibility of a Municipal University in Dayton.—The Dayton bureau of municipal research has prepared an elaborate report on the feasibility of establishing a municipal university in Dayton. After a careful study of existing universities and of their operation and of the local conditions, the school committee of the board of trustees of the bureau to whom the results of the investigation were submitted expressed the opinion that "as a charge upon the community a municipal university is not at this time considered desirable, but that with sufficient endowment the matter would be open for discussion from a new angle, as that then many of the present objections which were enumerated in detail would be eliminated."¹



Local Option in Massachusetts.—At the December, 1916, elections the follow-

¹For a discussion of the subject of municipal universities see article entitled "Municipal universities of the United States," by John L. Patterson, vol. v, p. 553.

Feeling that certain statements in the report of the Dayton bureau were somewhat misleading, the Municipal University of Akron has issued a bulletin giving a report covering the period of the existence of the university, from which may be drawn "conclusions as to the success of that institution."

ing Massachusetts towns voted "yes" on the subject of the sale of intoxicating liquors: Boston, Chelsea, Chicopee, Gloucester, Holyoke, Lawrence, Lowell, Marlborough, New Bedford, Northampton, Pittsfield, Springfield, Worcester. The following cities voted "no": Attleboro, Beverly, Brockton, Cambridge, Everett, Fall River, Fitchburg, Haverhill, Lynn, Malden, Medford, Melrose, Newburyport, Newton, North Adams, Peabody, Quincy, Revere, Somerville, Taunton, Salem, Waltham, Woburn, Leominster.



Information Desired for Chinese City.—

Mr. S. T'ang, a graduate of the University of Michigan and now president of the Commercial School of Changsha, is desirous of establishing a civic welfare club or league in that community for the purpose of furnishing information to the citizens of the town, and to assist them in forming plans for improving its conditions. Mr. T'ang states that he understands there are a number of civic leagues in cities in the United States who might have plans or pictures or literature which they would be willing to send to the municipality. He wants information as to how he could form connections with such leagues for the purpose of correspondence, so we commend his request to the public-spirited readers of the NATIONAL MUNICIPAL REVIEW.



George W. Guthrie, American ambassador to Japan, died suddenly of apoplexy at the American embassy in Tokyo on Wednesday, March 7. Mr. Guthrie, who was at one time mayor of Pittsburgh and always an active civic force in that city, was closely identified with the National Municipal League from 1896, when he spoke at the Baltimore conference, until his departure for his diplomatic post. He was a member of the council and later

vice-president from 1907 to 1910. Mr. Guthrie was a strong factor for decent government in Pittsburgh as well as a constructive force in state movements for constitutional and electoral reform. He was a member of the first National Municipal League committee on municipal program and contributed largely to the conclusions which it reached.



F. S. Spence, for many years an active and impressive figure at the meetings of the National Municipal League, and a member of its council since 1912, died March 7, at his home in Toronto, from an attack of pleuro-pneumonia. Mr. Spence was one of the conspicuous figures in the helpful and stimulating municipal life of Toronto and Ontario and had achieved for himself a reputation as a keen, incisive student and debater of the various problems which those progressive cities have been solving during the past generation. Beginning in 1894 and continuing until 1917, Mr. Spence was a candidate at practically every municipal election, mostly successfully, but sometimes unsuccessfully. He served alternately as alderman and controller. He was twice defeated for mayor. Moreover, he was an active leader of the temperance forces not only in the province of Ontario but in the Dominion of Canada, serving for many years as secretary of the Dominion alliance for the suppression of the alcohol traffic. For several years he was a member of the port commission of Toronto, in which office he contributed largely to the development of the port facilities of the city.

As one of the Toronto papers said in commenting on his death, "Mr. Spence had made a name in civic history and had won his success on sheer merit." He will be missed from the meetings of the National Municipal League, where he always took an interesting and stimulating part in its discussions.

DEPARTMENT OF PUBLICATIONS

I. BOOK REVIEWS

STATE GOVERNMENT IN THE UNITED STATES.

By Arthur N. Holcombe, Assistant Professor of Government, Harvard University. New York: The Macmillan Company. Pp. 498. \$2.25.

Here is a timely and important catalog of information on a neglected subject coming happily just when eight state constitutional conventions are in sight and when the National Municipal League enters the field of state governmental problems. Members of those constitutional conventions who want a view of the development of state government throughout the country since the formation of the Union and a comparison point by point of its various features in the different states will find in this readable volume a handbook and a starting point for their studies as simple and helpful in its way as Bryce's *American Commonwealth*. They will not find much guidance toward new aspirations nor indeed much discontent with existing systems. The author deals little with remedies nor, for that matter, does he trace causes. The book is evidently not designed to convert anybody to anything. The author says:

The greatest promise for the future lies, not in further changes in the form of government, but in the further redivision of powers.

This absence of uneasiness, this lack of philosophy makes Mr. Holcombe all the more acceptable as a faithful reporter of the facts and will give any reader a comfortable confidence in his impartiality.

The historical sections seem particularly well-informed but the part entitled "The working of the state governments" is less interesting and instructive than the phrase would lead one to expect, consisting of a cataloging of the various items of machinery, the kind of information that could be compiled from official sources and general knowledge rather than from

the incisive comments that James Bryce knew so well how to extract from the confidences of slangy and cynical political veterans in the easy-chairs of a legislative lobby. There is little about railroads, for example, or how they have controlled state governments, nor about the quarrels between divisions of states, city against country, etc. Indeed there is scant consideration of all the various extra-legal phases of government and of popular organization and the methods whereby public opinion works. Another important omission is county government although it is surely a branch of the state without which state government would be very different in both its legal and practical aspects.

In the author's analyses of current problems there is always the spirit of the historian rather than the seer. He tells what people have said about this or that but indulges in very little pioneer thinking of his own. In short, Mr. Holcombe has not undertaken to contribute opinion or argument but to collect and arrange the existing material on a neglected but coming subject and this task he has performed with scholarly ability.

RICHARD S. CHILDS.

New York City.



GOVERNMENT TELEPHONES. The Experience of Manitoba, Canada. By James Mavor, University of Toronto. New York: Moffat, Yard and Company. Pp. 176. \$1 net.

Professor Mavor's little book covering the experiences of Manitoba with government telephones is a most drastic arraignment of government ownership. After a reading of this book no one can have a doubt that this Canadian experiment up to the present time has been a miserable failure. The successful operation of tele-

phones in Manitoba by the Bell Company gave way in 1908 to the disgraceful conduct of this utility by the government. There seems to be no bright spot in the whole history for it does not appear that the government has even universalized the service in any way that the Bell Company was not preparing to do.

The counts in this indictment may be rapidly summarized as follows:

1. The acquisition of the telephone was brought about solely for party advantage. The promises made by the government in its campaign for acquisition were not made in good faith, and from the very beginning of government operation the telephone was used for political purposes.

2. The technical management of the system was subordinated to political management, rates were politically fixed, and were discriminatory and unfair.

3. The financial policy was unsound from the beginning, there was no attempt made to provide a decent accounting or auditing system, and the equipment was allowed to run down although the government reported it a great financial success. Eight years of operation have left a real deficit of \$1,000,000 against the system.

Upon the basis of this study the author's conclusion seems to *him* irresistible,—“The entire history of the government telephone enterprise in Manitoba affords evidence of the most positive character against government ownership” (p. 63). “It is possible that only by repeated and costly failures such as the Manitoba government telephones, will the public realize that the proper function of government is not the conduct of industries but the impartial inspection of them under intelligent laws adapted to the character and conditions of the community and the country.”

To the reviewer this argument is not at all conclusive. It is obvious that the political management of a utility must be a failure anywhere even under private ownership. Financial juggling can ruin any enterprise whether the pirates be politicians or private promoters. Just how the same government in Manitoba could have impartially regulated or “impartially inspected” the telephone system

does not appear. The author himself suggests on page 36 that the telephone commission appointed by the government were men of many years' experience in the service of the Bell Company “and were unquestionably well qualified for the task of managing a telephone system under normal conditions.” Had the author concluded that Manitoba, under present political conditions, could not operate a successful telephone system there would be no dissent. We in the United States were convinced not long ago that the management of the New Haven was a severe arraignment of that particular private management. We were just as convinced of municipal gas failure in Philadelphia. But we can draw no such sweeping conclusion upon such a basis of fact.

In this connection it may be of value to set down Professor Holcombe's final conclusion upon government telephones in Europe. “We find that on the basis of the experience of continental European governments in the conduct of the telephone business, no general statement can be made concerning the efficiency of state agency in the conduct of business undertakings. . . . In some countries public enterprise has bungled miserably in the telephone business, and in others it has not bungled at all.” His conclusion upon the Swiss experiment may well be kept in mind by the reader of Professor Mavor's book, “The Swiss secured a wider and more prompt utilization of the telephone than occurred anywhere else on earth, led the way in the substitution of measured for unlimited service, and have ever operated a technically sound system at rock bottom rates.”

C. A. DYKSTRA.

University of Kansas.

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ETHICS OF DEMOCRACY. A Series of Optimistic Essays on the Natural Laws of Human Society. By Louis F. Post. Third edition. Indianapolis: Bobbs-Merrill Co. 1916. \$1.50.

From the “Democratic optimist” in Part I to the “The great order of things”

in the conclusion this volume makes a rapid survey of facts, tendencies and ethical attitudes in the present economic and social life of the United States. The "Democratic optimist" of the beginning is doubtless the author, and the "Great order of things" to which he leads us is the régime of single tax. Many persons will value the book because of the doctrine, and many others, in spite of it; most thinking persons will appreciate the volume on account of its freshness, vigor, and pervasive idealism.

The preface at once arouses the attention, for in it the author links the dogma of "a favorable balance of trade" with the commercial exploitation of foreign lands. The dogma and the commercial tendency are unfavorably viewed from the democratic point of view. The first three parts of the book are given over to a criticism of certain contemporary moral standards and attitudes. If we are to be optimistic, we can be so only by facing the facts, and by joining with the forces that make for social reconstruction. We must, says the author, quoting Isaiah, "Cease to do evil; learn to do well." Appeal is made to college graduates to reflect critically upon the common notions of success and respectability. One is here reminded, by contrast, of the advertisements of high class commercial schools in the current magazines, which capture the eye by such words as, "Are you a \$50,000 man?" That "Honesty is the best policy" is accepted by the author as a good dictum, but what is honesty? Sacrifice is estimated to be good, but what about justice? Success is to be desired, but, asks the author, what about monopoly, privilege, and the conditions of success from which many good men shrink? There is an obligation to serve, but there is also an obligation, grossly violated under the present social order, of rendering service for service. The net outcome of our base social and economic standards is to be seen in great fortunes which come to those only who play the game under the accepted rules. The dogma of the piety of industriousness is evoked by the successful as the moral sanction to the absorbing pursuit of mod-

ern business, whose spirit flowers in "literature" as "The message to Garcia!" The philosophy in question is very old, for did not the ancient Hebrew historians use to write that King Somebody or Other did well in the sight of the Lord, and he prospered? Then, a great poet raised the question regarding the failure of a good man; and since that day there has been put into this easy linking of piety with success a kink.

The author is occasionally a bit safer in his morals than in his science; for he clings tenaciously to the rejected doctrine of natural rights, and brands all who reject the notion of natural rights as atheists. Scientific men have not discarded the eighteenth century vogue of natural rights because they do not believe in God. Their opposition is rather based upon the observation that no such things can be found. What is natural are instincts. Rights emerge, when they do appear, out of the terrific struggle between the bestial and the social in man, and are, like justice, an artificial product of civilization. The notion that rights are natural, and that God made the world in seven days belong to the same stage of human thinking.

In the next two parts of the volume one is carried into the intricacies of economic discussion. Part IV finds the author clashing with the Socialists over the cure for the trusts. Trusts are natural say the Socialists; they are not, says the single taxer. Let the public own the trusts, say the Socialists; let it "bust" them by taxing the unearned increment out of their landed properties, says the single taxer. Thus only can freedom and normality be restored to business life.

In Part V sails are full-rigged, and we are on a voyage of "Economic exploration and survey." Political economy is well defined as a "science of tendencies," but the theorizing is somewhat loosely knit. Under free competition service would tend to exchange for service, and there is a suggestion of a labor theory of value. But elsewhere we are reminded that cost of production determines the value of products (page 148). And still

again we are told that value "is an expression of exertion avoided," or that it is an equilibrium between the serviceability of productive power, and the irksomeness of producing (pages 234, 235). However, in these days it is no particular distinction in an author to be confused, or at least not clear, as to his theory of value.

In the "Economic exploration" we further see that wealth is an artificial product of land and labor; that serviceability is the economic characteristic of wealth, and that value is serviceability in scarcity. One may be pardoned for liking better Ruskin's definition of value as, "The possession of the valuable by the valiant." Trade is the exchangeable value of things arising through the division of labor, and money is the mere token that fools us all as being something. According to this classification, capital is tucked off into one corner as unfinished or mediate wealth, what the economists would call capital goods. The finished products, consumers' goods according to the economists, before they reach the consumers, are excluded from the category of capital. The latter is also not one of the basic factors of production. If labor could create things out of nothing, or if land were all equally valuable, all of wealth would go to labor as wages. But land is scarce, and there exist in it differential values; there is also monopoly in land. Hence, there exists rent. Normally rent would not press upon wages, though just why it would not, even without monopoly, is not explained. But the "water" in rent does press upon wages, forcing them ever downward with the growth of communities. Our social duty is plain: tax land values for the benefit of the community, and free business from all other forms of taxation. Industry would thus be stimulated and land set free for use instead of for holding. Such is the single tax ideal. Of special interest in this section is the chapter on "Our foreign trade" in which it is shown that the greater part of the balance due us from our excessive exports goes to pay

interest on government, municipal, and state bonds owned by foreigners.

The remaining parts of the book upon democratic government and patriotism are devoted to a discussion of current problems such as universal suffrage, trial by jury, and imperialism, and to a much needed definition of patriotism in terms of real spiritual, national aspiration.

We have in the volume not only the ethics, but also the fervor, and even the religion of democracy. When such a book can circulate in three editions the heart of our people is sound.

ARTHUR EVANS WOOD.

Philadelphia.

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HOUSING PROBLEMS IN AMERICA. Proceedings of the Fifth National Conference on Housing. New York: National Housing Association. 1916. 542 pp. and index. \$2.

Though this rather bulky volume suffers from lack of careful editing, it contains so much value to the student of housing that he can not afford to pass it by. The committee in charge of the program secured a group of speakers who supplemented admirably those who appeared at preceding conferences, so these proceedings help to round out our knowledge of what is being done and proposed in American housing.

While some of the papers dealing with construction and management, with a sub-head of industrial housing, are distinctly disappointing, most of them are equally distinctly real contributions. The discussions that follow add notably to their value. Men who are working on the construction of low cost houses, others, like Grosvenor Atterbury, who have made promising experiments that lead us to hope for material reduction in costs, managers of wage-earners' dwellings in large cities and in industrial towns—who give to the pudding the proof of eating, here exchange facts and opinions. The result is a symposium of practical value to the housing worker nowhere else available.

A group of papers dealing with types of dwellings, with sub-heads on districting—to which Lawson Purdy, as usual, makes

a valuable contribution, and on the multiple dwelling vs. the single family house—in which Bernard Newman and others vigorously attack the multiple dwelling and meet but a half hearted resistance.

To another group dealing with housing and health, a number of health and housing officials contribute. Here Dr. James Ford presents a paper that admittedly proves nothing but that by its sanity and suggestiveness points the way by which something may be proved. Heretofore we have relied too much upon assumptions and as a result a group of skeptics has arisen who find easy marks in exaggerated claims. Dr. Ford and those who discuss his paper leave us in no doubt as to the desirability of sunlight and fresh air, sanitary conveniences and honest construction.

There is a discussion of the housing needs of Providence, based upon a survey that had been made during the preceding five months and supplementing an inspection trip the day before.

JOHN IHLDER.

Philadelphia.



WACKER'S MANUAL OF THE PLAN OF CHICAGO. By Walter D. Moody, Managing Director, Chicago Plan Commission. Second (revised) edition, 1916. 10 x 8, pp. 137. Illustrated.

This important book, named for and dedicated to, but not written by Charles H. Wacker, one of the Chicago Plan pioneers, is confessedly "especially prepared for study in the schools of Chicago," and must therefore be considered as a school text-book. It is a clumsy volume of 137 pages, of the odd size—for a text or reference book—of $7\frac{3}{4}$ x 10 inches, and is in poor taste typographically, seeming either to have been planned to utilize old illustrative material, or more probably to represent bizarre ideas in book making. Indeed, it is printed as if the format had been designed in a newspaper composing-room, rather than by a capable printer of books, acquainted with the usages of good form and of library shelves.

But notwithstanding this mechanical handicap, Mr. Moody has presented a wholly admirable volume, from the stand-

point of aims and contents. It must not only make a strong appeal to the school children of Chicago, for whose study it is designed, but be of immense value to students of city planning anywhere, or of any age. It discusses Chicago—the beginnings, the doings, and the future of the great city.

Mr. Moody's view of Chicago is not oppressively modest, as may be inferred from the opening paragraph of his introduction, in which he says, "Chicago is destined to become the center of the modern world, if the opportunities in her reach are intelligently realized, and if the city can receive a sufficient supply of trained and enlightened citizens." Possibly the author has overlooked the naivete of this remark!

The setting forth of the need for planning, and the comparisons in text and in illustration with cities everywhere, give Wacker's Manual a value much more than local, wherefore it is commended to civic workers and students in general.

J. HORACE MCFARLAND.

Harrisburg, Pa.



SIXTY YEARS OF AMERICAN LIFE. By Everett P. Wheeler. New York: E. P. Dutton & Company. \$2.50.

For two generations Mr. Wheeler has represented a fine type of American citizenship. A leader in his profession, the law, he has always taken an active and militant interest in various public questions. His three chapters on municipal reform are particularly suggestive, dealing as they do with New York city politics from the time of Mayor Fernando Wood to Mayor William J. Gaynor. Concerning the latter Mr. Wheeler says: "Gaynor, who had co-operated with Shepard in the prosecution of McKane for the election frauds in King's county, commanded the public confidence to such an extent that he was elected mayor although his companions on the ticket were defeated." Further as indicating the progress of reform up to the administration of Mayor Mitchel (which is not included within the scope of his book) he declares, "It may truly be said of all the administrations

since that of Mayor Low, that they have not relapsed into the corruption and inefficiency which marked some of the previous ones." His account of Seth Low's campaigns and his work as mayor, abounding as they do in personal experiences, constitute one of the most substantial parts of this volume, for Mr. Wheeler was a part, and an important part, of the story which he tells. In reading this volume it must be constantly borne in mind that Mr. Wheeler's interest is in the political and governmental phases of municipal life rather than along social lines.

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THE SECOND SOCIAL YEAR BOOK.

The Human Problems and Resources of Cleveland, Sixth City. Published by the Cleveland Federation of Charity and Philanthropy, Cleveland, Ohio, December, 1916. Pp. 125. 35 cents.

The second Social Year Book of Cleveland is well worth careful study and attention and is valuable for two reasons. First, because it sets forth in vivid and clear outline, profusely illustrated with telling photographs, the achievements of the past year, individual and co-operative, of the fifty-nine different organizations which have composed the Cleveland federation for charity and philanthropy. Each body has reported in interesting fullness its aims and actual work done, officers, board of managers, staff, and treasurers' report.

It is of value secondly because it sets forth by detailed statement of past history and by announcement of a plan about to be consummated, a process of co-ordination and co-operation of all the welfare agencies of the city of Cleveland, resulting in the formation of the Cleveland welfare federation, to have, under the direction of Sherman C. Kingsley, the task of correlating all the welfare effort of the city. Cleveland is, therefore, forging ahead of many of her sister cities, both of higher and of lower rank, and it behoves them to learn of her how to bring about union of the multiplicity of organizations obtaining in every large city.

(REV.) EDWIN S. LANE.

Philadelphia.

COUNTER CURRENTS. By Agnes Repplier. Boston: Houghton, Mifflin Company. Pp. 292. \$1.25 net.

Miss Repplier has won a substantial reputation as a clever and forceful essayist, and in this volume she employs all her abilities in presenting what is popularly called the reactionary position. Believing as she does that we are "rising dizzily and fearlessly on the crest of a great wave of sentiment," she does not hesitate to apply her trenchant pen and wit to pointing out some of the danger spots in such a course. Appearing originally in the pages of *The Atlantic*, each essay deals with some phase of current thought or movement as only Miss Repplier can—that is felicitously and epigrammatically. Her reasoning may not always be sound as rules of logic go—nevertheless what she has to say and the way she says it challenge the attention of those who have a sense of humor and who are seeking to leave the world a better place because they have lived in it.

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RECLAIMING THE BALLOT. By Ward Macauley. New York: Duffield and Company. Pp. 109. 75 cents.

A popular account of the methods in vogue at American elections, with suggestions for ballot reform, which "should precede all other reforms." The chapter on this subject is mainly based on B. P. DeWitt's "The Progressive Movement."¹ Our author's program "contemplates nothing less than a complete civic center in each election precinct, housed in a permanent building, properly equipped for the important work to be undertaken." This suggestion does not materially differ from the good government club plan of the last decade of the nineteenth century and from the ward clubs of the Philadelphia Republican organization, except that the school is discussed as an available place for headquarters. The Republican clubs (which are gradually giving way to building associations in many wards) are held together by officeholders. It is a perti-

¹ See NATIONAL MUNICIPAL REVIEW, vol. iv, p. 682.

ment question to ask who will keep the civic precinct clubs together, which opens up a most interesting field of political speculation.

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AMERICAN YEAR BOOK. A Record of Events and Progress, 1916. Edited by Francis G. Wickware. New York: D. Appleton and Company. Pp. 862. \$4.

In addition to the department of municipal government, the Year Book contains articles dealing with the following subjects which relate to or bear upon municipal problems: waterways and harbors, public service, municipal ownership, lighting, water supply, sewage and refuse disposal, finance, taxation, fire losses, social centers, settlements, surveys, remedial loans, tu-

berculosis prevention, recreation, child welfare, juvenile courts, social hygiene, crime and penology, the liquor problem, socialism, immigration, vocational education, unemployment, charity, engineering and public health, education and libraries.

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BIBLIOGRAPHY

The conversion of the NATIONAL MUNICIPAL REVIEW from a quarterly into a bi-monthly leaves only a month to be covered between the March and May issues. In view of this, the editor of the department is of the opinion that the bibliography should be omitted from this issue. It will appear again in the July issue and, barring unforeseen events, regularly in each issue thereafter.

II. BOOKS RECEIVED

THE COUNTY: THE "DARK CONTINENT" OF AMERICAN POLITICS. By H. S. Gilbertson. New York: The National Short Ballot Organization. 7½ x 5. pp. 297. \$2 postpaid.

HUMAN WELFARE WORK IN CHICAGO. Edited by Col. H. C. Carbaugh, of the Civil Service Board of South Park Commissioners. Chicago: A. C. McClurg & Co. pp. 262. Illustrated. \$1.50.

JOURNAL OF THE NATIONAL INSTITUTE OF SOCIAL SCIENCES. Volume III, 1917. Edited by Mrs. Lillie Hamilton French. Boston: The Boston Book Co. pp. 262. \$1.50.

THE MAN IN COURT. By Frederic DeWitt Wells, Justice of Municipal Court of New York City. New York: G. P. Putnam's Sons. 7½ x 5. pp. 283. \$1.50.

THE MINIMUM COST OF LIVING: A STUDY OF FAMILIES OF LIMITED INCOME IN NEW YORK CITY. By Winifred Stuart Gibbs, Supervisor Home Economics, New York Association for Improving the Condition of the Poor, Lecturer in Household Arts, Teachers College, Columbia University. New York: The Macmillan Company. pp. 93. \$1.

MUNICIPAL FUNCTIONS. By Herman G. James, Associate Professor of Govern-

ment, Director of the Bureau of Municipal Research and Reference, University of Texas. New York: D. Appleton & Company. National Municipal League Series. pp. 369. \$2.

THE PSYCHOLOGY OF CITIZENSHIP. By Arland D. Weeks, Professor of Education in the North Dakota Agricultural College. Chicago: A. C. McClurg & Co. 7 x 4. pp. 152. 50 cents.

PROCEEDINGS OF THE EIGHTH NATIONAL CONFERENCE ON CITY PLANNING, CLEVELAND, JUNE 5-7, 1916. Published by the Conference, Flavel Shurtleff, secretary, 19 Congress st., Boston. pp. 275.

PUBLIC UTILITY RATES. By Harry Barker, B.S. New York: McGraw-Hill Book Company, Inc. 9 x 6. pp. 387. \$4.

THE STATE AND GOVERNMENT. By Jeremiah S. Young, Ph.D., Professor of Political Science in the University of Minnesota. Chicago: A. C. McClurg & Co. The National Social Science Series. 7 x 4½. pp. 180. 50 cents.

TOWN PLANNING FOR SMALL COMMUNITIES. By Charles S. Bird, Jr. New York: D. Appleton & Company. National Municipal League Series. pp. 492. Illustrated. \$2.

III. REVIEWS OF REPORTS

Proposed Electric Railways for the City of Sydney.¹—No one who is really interested in rapid transit matters should neglect to read J. J. C. Bradfield's recent report on Proposed Electric Railways for the City of Sydney, N. S. W. In spite of the war, the government of New South Wales is carrying out at the present time a comprehensive plan for the construction of a rapid transit system for Sydney and its suburbs, including the electrification of existing steam railroad lines, the building of extensions and of subways for trains and surface cars, the initial cost being estimated at no less than \$50,000,000. The complete plans, as approved, including the construction of two immense bridges over Sydney harbor, involve a total cost of no less than \$100,000,000. Considering the size of Sydney, these figures are rather surprising, for at the end of 1914, there were only 110,700 persons inside the city boundary, and 752,500 in the city and its suburbs. But Sydney has long been noted as a progressive city in transit matters, as shown by the fact that for the year 1914 there were 544 rides per capita, against 337 for New York City.

Mr. Bradfield's report opens with a discussion of the principles of rapid transit and electrification of suburban lines, based on his observations in Europe and America, and, while most of the facts are familiar to American engineers, his discussion of them forms one of the best treatises on rapid transit yet written. The present plans for Sydney are the result of many projects and investigations, covering no less than 60 years, and based on the very latest practice, American experience being largely followed.

In several respects, however, the Sydney rapid transit system will be in advance of anything yet carried out in America, which

¹ New South Wales: Report on the Proposed Electric Railways for the City of Sydney. By J. J. C. Bradfield, M.E., M. Inst. C. E., Chief Engineer, Metropolitan Railway Construction. Sydney: W. A. Gullick, Government Printer, 1916. Cloth; 7 x 11 in., pp. 105; 86 plates.

makes the report so interesting. For example, the new rapid transit lines will be united with the electrified suburban steam lines so as to form one unified system with through routes, like the plan recently urged for Chicago by the city club. There will be no changing of cars such as is required of all suburban passengers coming into New York at the Grand Central, Pennsylvania, Long Island, and New Jersey railroad stations.

The Sydney lines will also be unique in having a capacity of 80 trains an hour each way on each track, or two and one-third times the capacity of the New York subway tracks with their limit of 34 trains an hour per track. This immense increase in capacity is made possible by adopting in Sydney the plan unfortunately rejected in New York of having the main stations all of the reservoir type, with each track branching into two, so that a two track line has four tracks at the stations, and two trains can stop in each direction at the same time.

In the heart of the city, all the stations for trains and surface cars will be underground except two. The only elevated structure will be along the waterfront, and will be ornamental in character, with a monumental station on the circular quay. Outside the center of the city, the rapid transit lines will run on private property instead of along the streets.

Like Boston, Sydney will place the street cars underground in the congested section in a \$9,000,000 subway system, but this is merely to relieve the streets, and the mistake is not made of expecting these surface car subways to act as a real rapid transit system, which is otherwise and independently provided for.

To many persons, the most interesting feature of the Sydney scheme will be its unique combination of surface lines, rapid transit and suburban lines. These will all be welded into one system in almost ideal fashion. Boston has had for about 15 years a single fare for elevated, subway, and surface lines, with free transfers at all

stations between the different lines. But Sydney will go still further in bringing all the suburban railroad lines into the new system. Not only will electric suburban trains come into the central subway system, the same way as the rapid transit trains, but the suburban trolley lines will be used as feeders for the existing railroad lines; and the suburban stations and rapid transit stations will all be planned for the most convenient transferring between trains and surface cars. It will be possible to take a trolley car at one's home to the nearest railroad station, merely showing the conductor a season ticket, and then board an electric train which will leave you at your office, without having to buy a ticket each time or to bother with transfers.

It is a curious fact that this perfect combination of railroad, surface, and subway lines is hardly possible anywhere except in Australia, and is absolutely out of the question in America, and even in England, France, and Germany; because it requires the ownership of all transportation lines by one and the same authority, in this case the government of New South Wales, which owns the trolley lines instead of the city of Sydney. England cannot have such unified transit facilities in spite of the many municipal tramway systems, because the railroads and tube railways are privately owned. In Germany, where the railroads are all owned by the state, the trolley lines are all municipal or private property.

The initial fares proposed on the new lines are two cents for the central section, this amount also to be added at first to existing steam fares, to pay for passengers being carried through the heart of the city. Passengers coming in over the rapid transit extensions will pay four and six cents according to distance, or the same fare as on existing surface lines, though the time will be about cut in half. Later on, the fare will be reduced to considerably less than existing surface fares, and the additional charge to suburban passengers will be reduced below two cents.

There is only one serious criticism to be made of the Sydney rapid transit system:

the decision not to try to furnish adequate seats at the rush hours but to adopt the new Brooklyn rapid transit car, which was designed primarily for standing loads, and has proved very unsatisfactory in a number of respects, such as its lack and arrangement of seats, its poor lighting, and its inadequate ventilation.

If Mr. Bradfield had studied the question of rush hour traffic more thoroughly, especially in England, he would have learned that it is not only possible to provide a seat for every passenger under the worst existing conditions, but the English municipal managers would have told him that, in order to get every possible passenger and the maximum income, it is absolutely necessary to furnish substantially more seats than passengers at every hour of the day. Why the knowledge of this important fact, affecting so much the health and comfort of passengers and the earnings of companies, has been confined to English municipal managers, and has never been appreciated by so-called practical electric railway men in America is a puzzle on which the writer has worked 15 years without finding an answer. Why the regulating authorities in America still accept the company point of view that seats cannot be furnished is still more puzzling.

If the Interborough rapid transit company, operating the New York Subway, had been far-sighted enough to have abandoned their present car and adopted the Illinois Central type, as urged for the last 10 years, they could not only have scrapped the old equipment and continued to pay dividends on it, but would have made a clean profit every year of about \$1,500,000 and would have been giving every passenger a seat even at the rush hours for these past 10 years. The only valid objection to the Illinois Central car has been the old excuse that things were different in New York from anywhere else. The practical American railway man can sometimes "out-theorize" the most impractical theorist, if he doesn't want to change his methods; and the cherished idea that strap-hanging pays seems to be too deep-rooted to be overcome, even

though the contrary has proved to be the fact.

It is curious that in the recent electrification of lines in the Australian city of Melbourne, the English engineers adopted the Illinois Central type of car which Mr. Bradfield rejected in favor of the Brooklyn type, which has only 78 seats in the rush hours, whereas the former type seats 130. It is to be regretted that a government project should adopt the false and unnecessary standards of short-sighted American companies, especially a project with such unusual merits as that for Sydney.

JOHN P. FOX.

New York City.

✦

Report on Dock Employment in New York City and Recommendations for Its Regulation.¹—The casual laborer, the man who works off and on, five or six hours a day, three or four days a week, is the subject of this report. The type is represented by the dock worker, the longshoreman who loads and unloads ships in New York harbor.

Longshoreman C, described in the report, worked four hours on Monday, three hours on Tuesday and had no work Wednesday. Thursday he went to another pier and got two hours' work and Friday he snatched another hour. Saturday he got five hours again on the first pier. He worked a total of 15 hours during that week spread over five days and made about \$6.00. Another week his experience might be that of longshoreman E, who worked twelve or thirteen hours every week day and two and one-half hours on Sunday making 78½ hours in all. After which there might be three or four days of no work. The effects of such irregular employment may easily be imagined. A high death rate from accidents, pneumonia and tuberculosis, bad habits, poverty and low standards of living are inevitable results for the majority.

Mayor Mitchel's permanent committee on unemployment reports the conditions of employment in this occupation and outlines a plan for regularizing the work.

¹ Mayor's committee on unemployment, New York city, Oct., 1916.

The report is in two parts,—A—describing the present conditions, and B—explaining the plan of regularization. The description of present conditions is in the main a summary of Charles B. Barnes' excellent and exhaustive work, "The Longshoreman," recently published by the Russell Sage Foundation. The suggested scheme for reform is based on foreign experience, primarily on the Liverpool dock scheme originated and now directed by R. Williams who has written a full report on the subject.

The main features of the recommendations for steadying employment are (1) elimination of promiscuous hiring at each of the docks; (2) establishment of five hiring centers with a central clearing house to connect them and "stands" and waiting rooms to eliminate the long hours of idleness in waiting till the ship comes in; (3) administration of the clearing house system by a public employment bureau to link it up with the general labor market; and (4) direction of the policies of the dock regularization scheme by a joint committee of employers and workmen in the industry.

The report makes a valuable contribution in the analysis of the problems of irregularity in dock employment, and it outlines the general nature of the solutions to be worked out in a clear and logical manner. The committee modestly disclaims any desire to have exhausted the subject. It merely presents its plan as a basis for discussion and leaves it to men in more immediate and permanent touch with the industry to work out the practical details. No doubt we shall have to look to the employers and workers to put the scheme into practice. But the initial analysis made by the committee will not have to be done over again. The student, the government official and the men engaged in the industry will all find in this report the beginnings of any work they may wish to undertake on the subject of regularizing casual labor.

In an appendix to the report, the committee outlines a scheme for establishing on a limited scale permanent employment for longshoremen at weekly wages.

The idea is to incorporate an organization of longshoremen which will contract with the steamship companies for the services of its members and pay the men weekly wages from its treasury. The suggestion might well be adopted by the longshoremen's unions, and perhaps the United States shipping board, with its very broad powers, could be induced to try the scheme as an experiment.

✦

Municipal Activities and Publications of Stockholm.¹—The numerous municipal and government reports that are published in Sweden may justly be rated as models of clearness, completeness, and accuracy. It may safely be asserted that they measure up to the standards of any country and are superior to most publications in this field. Public administration reached a high level in Sweden at a comparatively early date, and this accounts in part for the excellence of Swedish public reports; in part it is accounted for by the thoroughness and emphasis upon the practical that is characteristic at all times of Swedish scholars and administrators.

The statistical reports are particularly noteworthy. Sweden was one of the first countries to gather statistical data systematically and to issue reports based on these data. The earliest statistical collections are the exchequer rolls of the old treasury, the beginnings of which go back to the middle of the sixteenth century. In 1749, due largely to the influence of the newly created Swedish Academy of Science, the Tahles Archive was established, whose

function it was to collect data from all parishes concerning births, marriages, deaths and their causes, and population. The population was classified according to sex, age, civil status, and occupations. At the same time diocesan authorities were instructed to keep full and accurate records. Six years later a special Tahles Archive Commission was created, which made abstracts of the data collected by the Tahles Archive. It has been claimed that this was probably the first public statistical office in the world. Likewise it has been asserted that the Swedish general population census of 1749 was the first systematic national census ever taken. This census report for a long time stood unique in respect to reliability and wealth of detail.

As a result of an exhaustive study by a special committee, the Swedish statistical system was reorganized in 1856, when the Tahles Archive was superseded by the Central Bureau of Statistics, and the Statistical Commission. The latter became in 1886 the Statistical Tahles Commission. Since 1860 the statistical authorities in Sweden have published a yearbook, *Statistisk årskrift*, by means of which the gist of important reports are made more easily accessible to the general public. This publication also gives summaries of international statistics.

The larger cities also have their special statistical bureaus and publications. Thus in Stockholm there has been established a municipal bureau of statistics which collects and publishes statistical data relating to the corporate life of the city. The city council or any of its committees may order this bureau to make special investigations for the purpose of getting data on any question before them.

As in the case of the national government, the Stockholm statistical bureau publishes a statistical yearbook, which during the last few years has been edited by J. Guinchard, the foremost statistician of Sweden to-day. This publication of over six hundred pages gives very detailed data regarding sanitation, climatic conditions through a long series of years, population, mortality, education, attend-

¹Statistisk årsbok för Stockholm (statistical yearbook for the city of Stockholm). Statistical bureau of Stockholm, 1913; pp. xxi, 572.

Stockholms stadskalender (handbook for the city government of Stockholm). Statistical bureau of Stockholm, 1914, 1915, 1916. Pp. xiv, 477, etc. Kommunal-författningshandbok för Stockholm (handbook of laws and ordinances of Stockholm). Statistical bureau of Stockholm, 1915; pp. xiii, 1071.

Berättelse angående Stockholms kommunalförvaltning (annual report of the municipal government of Stockholm). Statistical bureau of Stockholm, 1912, 1913, 1914. Pp. 198, etc.

Utländskt statistiskt o. d. tryck förvävat år 1915 av Sveriges offentliga bibliotek (catalog of statistical publications and reports and kindred literature acquired by the statistical bureau of Stockholm during 1915).

ance at art galleries and museums, elections, crime, building activity, business and transportation, taxes, real estate holdings of the city, municipally owned utilities, such as gas, electricity, and water works, and city finances. The tables of contents consist of parallel columns of Swedish and French texts and all headings of statistical tables are also given in these two languages, thus making the data intelligible to practically all students of municipal affairs.

A few examples will suffice to show to what extent the report goes into details. The table of the per capita living expenses per annum includes no less than fifty-nine items, ranging from lobsters to house rent. The books also show at a glance how many fire alarms have come to the central station within a given year, how many of them have come over the telephone, and how many through the alarm system, the average number of miles traveled by the apparatus to each fire, and the average time consumed.

Another annual publication, the *Stads-kalender* or handbook, presents clear and concise data concerning the organization and activities of the various city departments. Especially valuable and interesting are the brief historical statements that are given for each department. Thus we learn that the street cleaning system and fire department had their origin in 1661, and the charity board as early as 1527.

The handbook makes it clear that the principal legislative and administrative body of Stockholm is the board of aldermen, consisting of one hundred members. The board of magistrates of twenty members formerly had wide powers, but the tendency has been to curtail these. The magistrates' power is now limited to the exercising of control over the board of aldermen on a few points and to the appointment of members to a few boards. The governor-general represents the crown in the city. This office, too, has been shorn of much power during the last decades.

In the election of the city aldermen the so-called proportionate system of balloting prevails, according to which a citizen or corporation casts a number of votes pro-

portionate to incomes and property holdings. The maximum number of votes any individual or corporation may cast is limited to forty. Women enjoy absolute equality with men in municipal affairs, both in voting and in holding office. The annual publication for 1916 gives the number of women members of the council as seven.

The board of aldermen controls practically all the departments of the city, and its functions are extremely varied. Its budget for 1916 amounted to 23,862,500 crowns (one crown is approximately equal to 28 cents), of which 9,311,000 crowns were for permanent improvements. Thus a city slaughter house was built at an estimated expense of 6,400,000 crowns, and work was progressing on a large municipal power station which is to supply the city with electric energy for illumination, motive power, and heating. Street cleaning alone involved an expenditure of 2,259,702 crowns in 1915, but the money was well spent, for Stockholm has a high reputation for cleanliness. Food inspection is extremely rigid and requires a large number of officials. The total expenses for educational purposes were, in 1916, 4,150,725 crowns, of which a part was contributed by the state. It may be noted, among matters of special interest, that dental clinics are provided in all public schools, as well as swimming basins and gymnasiums. Swimming is compulsory for all children in the schools. The city owns an entire island in the archipelago, which is used exclusively as a summer home for frail children. In addition there are approximately thirty-five workshops where the children of the poor may spend their time during vacation days or after school hours in interesting and useful work, or in play under the guidance of teachers. The city gives financial aid to something over ninety charitable and quasi-charitable institutions.

The fire department is a matter of great pride to the citizens of Stockholm. At the end of 1916 there was not a horse connected with the department; every piece of apparatus was motor driven. This

department also furnishes ambulance service for the entire city for man and beast. Thus a teamster who has a sick horse merely telephones to the fire department, which immediately and at nominal cost furnishes an ambulance for transporting the animal to the city veterinary institute.

Another publication of the bureau of statistics is the handbook of city ordinances, a book of 921 pages, which in an ingeniously devised form presents the laws that govern the municipality. The ordinances contain exceedingly detailed provisions, but by the aid of a very complete index the student can easily find his way to the desired data. A supplement of 142 pages contains an index to previous handbooks.

Annual reports of the activities of the various city departments are also published by the statistical bureau under the direction of the city council.

A. A. STOMBERG.

University of Minnesota.



Unification of Local Governments in Chicago.—Larger cities are realizing that the separation of city and county government is clumsy, wasteful, and inconvenient, and are beginning to consider the consolidation of the taxing units within the greater urban districts. Recently, the Chicago bureau of public efficiency has published a brief general study "to show the need for complete unification of the local governments within the metropolitan community of Chicago, and to present a plan of responsible governmental organization under which greater efficiency might be expected from public officials." If started immediately, this program could be materialized in six years. The study is not in detail, but indicates in a general way the consolidation which is desired and the results which would accrue.

The report shows the advantages of bringing under one government the whole of the territory now included in the sanitary district of Chicago, which comprises, besides 22 taxing agencies in Chicago,

108 taxing units in Cook county, contiguous to the city. The remaining units of Cook county would be ceded to the adjacent counties. The units within the sanitary district are socially, economically, and industrially one community; yet politically they are separate.

To govern this proposed district, it is recommended that all local legislative and administrative bodies be merged into one, in order that duplication of expensive governmental machinery, the lack of co-ordination and indirect responsibility might be eliminated. It is proposed, however, that the judiciary have a separate identity. It is believed by the Chicago bureau that a modification of the city-manager form of government, to be known as the council-manager plan, would give better government than any other scheme. Under this proposed organization a council of 35 aldermen, one from each ward, would be elected on a non-partisan ballot for four years, subject to recall. This body would have the power to appoint a mayor who would be the city manager, a controller, and a city clerk, who would hold office for an indefinite period and be subject to dismissal at any time and would be the responsible executive head of the city, with power to appoint and remove department heads.

The suggested advantages from the proposed unification and reorganization are enormous. It is estimated the economies would amount to at least \$3,000,000 annually. And the monetary savings are really minor when considering the advantages of centralized responsibility, the attracting to public employment of men of exceptional ability, the improved service, the formulation and prosecution of large municipal improvements, and the increased civic pride and spirit which it is believed would result. The Chicago bureau has presented a very logical and convincing arraignment of the expensiveness and efficiency due to the separation of the county and city government, and has "done its bit" in stimulating a public demand for better things. However, the recommendation concerning the type of government, although secondary in im-

¹A report by the Chicago bureau of public efficiency.

portance to the suggestion relative to the consolidation of the city and county governments, should receive careful thought regarding its practicability. However successful city-manager government may have proven for small cities, in large communities its machinery may require substantial adjustment to meet the conditions of more responsibility and less civic conscience.

Since the National Municipal League has enlarged its field of activities, it might find an opportunity for constructive work in a comparative study of the consolidation plans of Denver, Cleveland, Cincinnati, Chicago, Oakland, San Diego, and elsewhere. A critical statement of results in Denver should be of particular value.

LENT D. UPSON.¹

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Additional * Powers for New Jersey Municipalities.²—The New Jersey legislature of 1914 enacted a statute which provided that each city with the commission type of government "shall have all powers which it shall deem necessary or convenient for its government, or for its welfare and prosperity, not in conflict with the laws applicable to all cities of this state or the provisions of the constitution." This liberal home rule statute was declared to be in conflict with the state constitution on somewhat technical grounds. The legislature of 1916 therefore authorized Governor Fielder to appoint a commission of three to revise and codify the statutes of the state relating to cities and other municipalities, and to prepare bills delegating additional powers thereto (chapter 84 of the Laws of 1916). The commission was promptly created and a series of meetings was held in Trenton and other cities of the state to which all persons interested in municipal government were invited; and the report was made to the governor on January 22, 1917.

The report calls attention to the fact that the constitutional amendment of

1875, which prohibited special and local legislation for New Jersey municipalities, did not accomplish its purpose. A statute could still be enacted applicable to all townships, to all boroughs, to all villages, to all towns, or to all of any one of the four classes into which cities were divided. Moreover, a city could prepare a charter and have the legislature enact it as applicable to any city of its class which might adopt it by a majority vote. Of course no other city desired this special charter so that the act was in effect a special charter for a particular city. Therefore, to clear the field, the commission prepared a number of bills for the repeal of hundreds of acts, or parts thereof, constituting about one third of the entire compiled statutes of New Jersey.

The commission further prepared a bill, which was introduced on January 27, 1917, as Senate Bill No. 7, extending numerous powers to all municipalities of the state, whether a borough with 19 inhabitants, a city with less than 100, a village with 6,000, a town with 40,000, a township with 20,000, or a city with nearly half a million population, for all of these exist in New Jersey. These powers include such as the right to own and operate wharves, docks, abattoirs, markets, street railways, heating plants, coal yards, ice plants, etc.

The commission did not attempt to confer complete powers on municipalities by a "general welfare clause," as was attempted for commissioned-governed cities in the act of 1914, because, in the words of the commission, "attempts of this kind have been unsuccessful elsewhere, and the legislative custom of specifying in detail the powers granted is so well established that it is unsafe to attempt a radical change in this method. Such a clause, without a specification of powers granted, would leave the powers granted uncertain," and in the hands of the courts because of various constitutional restrictions.

Considering our system of constitutional limitations, the commission no doubt acted in accordance with expediency. However, one can but regret that means have not been found for granting to municipalities all powers not prohibited, which was at-

¹Detroit bureau of governmental research.

²Report of the commission to revise and codify New Jersey statutes relating to municipalities. (Trenton, New Jersey, January 22, 1917. Pp. 354.)

tempted for commission-governed cities in the act of 1914, and which has long been enjoyed by continental cities.

It should be understood that the commission made no recommendations regarding the structure of municipal government, because it was created for the sole purpose of systematizing and increasing the powers of municipalities.

FRANK ABBOTT MAGRUDER.

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Chicago Commission on the Liquor Problem.¹—On July 12, 1915, the city council of Chicago directed the mayor to appoint a committee of six aldermen and three citizens "to consider in a comprehensive way the medical, moral, political, financial, social and economic aspects of the use of intoxicating liquors in Chicago; to consider the chief methods of licensing, regulating and prohibiting the sale of intoxicating liquors; and to recommend to this council the best practical policy for this municipality to pursue." This pamphlet is "a preliminary report together with such recommendations as an incomplete study of the problem at this time appears to warrant." The report may be briefly summarized as follows:

1. The commission declares that above all it has been firmly impressed with the fact that "what Chicago needs in the way of better regulation of the sale of alcoholic beverages, is a strict enforcement of existing laws and ordinances." To this statement probably every "wet" city in the United States will say "Amen." In Chicago the commission found the woeful lack of law enforcement to be so notorious that not only has the populace grown callous, but that also it no longer accepts in good faith any order issued which has to do with the regulation of saloons and other places where alcoholic beverages are sold.

2. "Why are the laws regulating the sale of liquors not enforced?" The answer given is "because of a sinister political influence, law enforcement as it applies to the liquor is a joke and a byword.

¹Preliminary report to the mayor and aldermen of the city of Chicago. Chicago, Illinois. December, 1916. Pp. 65.

The police are afraid to do their duty, because if they offend someone who is a political power in the ward, they find themselves transferred 'for the good of the service.' The responsibility rests higher up. The whole system is vicious and calls for an immediate remedy." A further cause is found in the fact that the saloon-keeper who conducts an orderly saloon soon finds his trade going to his competitor who is permitted to violate the law and he must also follow suit if he would maintain his business. Thus arises a wholesale contempt for law and order.

3. The commission makes recommendations which are of considerable general value, some of which are here noted: (a) the divorcing of the liquor business "from pull, preference, and special privilege." (b) Greater care regarding the licensee, full statement as to when and under what conditions licenses should be revoked. (c) Reduction in the number of saloons per ward resident. (d) Suggestion that the interior of all saloons be kept well lighted and that the front be unclosed and unobstructed except by transparent window glass "so that a clear view of the interior of the premises of such saloons may be had at all times. No booths, stalls, wineroms, closed or partially closed rooms of any character should be allowed in places where alcoholic beverages are sold." A necessary and radical step, which will probably keep many citizens out of the saloon and especially women. (e) No gambling of any kind to be allowed or sale of intoxicating liquors to minors. (f) All treating to be forbidden.

We miss in the report any recommendation regarding the suppression of cabaret features and of the political club both of which have grown in most communities to be almost as pernicious as the saloon.

EDWIN S. LANE.

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First Annual Report of New York Bureau of Attendance.—The bureau of attendance in New York city is a bureau of the department of education which exercises functions relating to compulsory school attendance, juvenile labor, school census and general child welfare activities.

Its first report (for the year ending July 31, 1915), a volume of 216 pages, outlines clearly the functions and policies of the bureau, describes in considerable detail its administrative procedures, presents adequate statistical data in support of the most important parts of the text, narrates several case histories to give the critical reader a clear insight into the character of its work, and contains valuable constructive recommendations for the development of the bureau's work during the next year.

Since the relation between truancy, juvenile delinquency and adult criminality appears to be a close one, it is evident that effective work against truancy will result in lessening the work of the other public agencies. It is on this account that the first report of the New York bureau of attendance should be carefully studied throughout the United States in order that each city may adopt as many of the policies described as may be found suited to its needs.

LEONHARD FELIX FULD.

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"Highways and Byways—A problem in Upkeep."¹—A review of this annual report of the Philadelphia bureau of highways and street cleaning emphasizes the fact that its chief has set a standard worthy of imitation by municipal authorities generally. It is fortunately compiled in such form that the citizen will be able to read understandingly and with interest of the several activities of the bureau. An admirable feature which will appeal to laymen and engineers alike is the profuse

¹Summary of operations for 1915 of the bureau of highways and street cleaning of the department of public works of Philadelphia by William H. Connell, chief. 138 pages.

illustration of the work of its several departments. While presented in a semi-popular vein, nevertheless the report is of great value to engineers specializing in the field of highway engineering. As of particular value to the municipal engineer are to be noted the detailed descriptions of the concrete service test road on Oxford pike, the Byberry and Bensalem service test road, the planning boards of the bureau of highways, and the excellent and comprehensive tables of cost data covering street cleaning, and the construction and maintenance of the several types of roads and pavements laid in Philadelphia.

ARTHUR H. BLANCHARD.²

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Governors' Messages.—The March 17 bulletin of the public affairs information service is devoted exclusively to a digest of the inaugural messages of the governors to the legislatures of 38 states in session during the winter of 1917. In several cases the messages of retiring governors have also been included. As the sessions of the Florida and Georgia legislatures convene at a later date, the messages of their governors together with those of Arizona, Idaho, Indiana, Oklahoma and Texas will be published in a later bulletin.

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Street Railway Franchises.—The October, 1916, number of the Minneapolis *Municipal Statistics* is a "street railway franchise issue," so called because it contains a condensation of the report of City Engineer Cappelen on the physical value of the properties of the Minneapolis Street Railway Company. This valuation was authorized by the city council on August 27, 1915. The report was submitted on September 29, 1916.

²Consulting highway engineer, New York.